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# Critical for Pure Judgment: The 'Socratic Method' on Relativism

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UNIVERSITY OF REDLANDS

CRITICAL FOR PURE JUDGMENT:  
THE 'SOCRATIC METHOD' ON RELATIVISM

AN HONORS PROJECT SUBMITTED TO  
THE HONORS REVIEW COMMITTEE  
IN CANDIDACY FOR THE AWARD OF  
PROUDIAN INTERDISCIPLINARY HONORS

VAHE PROUDIAN INTERDISCIPLINARY PROGRAM

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## *Preface*

The contemporary disposition toward judgments, particularly value-based or moral ones, is hostile. In a postmodern environment no one takes heteronomy or metanarratives that can produce principles for judgment seriously. Consequently, no judgments are justifiably better than any other. Consider this remarkable example, disturbing both because of its content and its source:

Beyond the Constitution and the laws in our society, there simply is no basis other than the individual conscience of the citizen that may serve as a platform for launching moral judgments. There is no conceivable way in which I can logically demonstrate to you that the judgments of my conscience are superior to the judgments of your conscience and vice versa. Many of us necessarily feel strongly and deeply about our moral judgments, but they remain only personal moral judgments until some way given the sanction of law.<sup>i</sup>

The content of this citation is disturbing because it indicates the highest legitimacy belongs to laws as executed. No notion of inalienable rights, self-evident truth, or any other sort of guide to the law other than the will of the lawmaker. In the end, the law is the ultimate judgment, and if that law happens to be tyrannical<sup>ii</sup>, the subjects are, in a very real sense, out of luck because any judgment that claims the laws of the tyrant are illegitimate has no basis. The source of the above citation is disturbing because the words are from the Chief Justice of the United States Supreme Court: William Rehnquist. If Rehnquist is employing judicial review from the perspective he articulates, he is interpreting the Constitution and giving it meaning in a fashion both arbitrary and uncriticizable. If, (1) as Justice Hughes said, the Constitution is what the Justices say it is<sup>iii</sup>; (2) the judgments made by the Justices are guided by no privileged principles (*i.e.*, legitimacy of judgments really is the advantage of the stronger); and (3) the Constitution serves as the guiding and corralling

document for ordinary legislation and human conduct, then a problem exists. Were the Justices to say the Constitution allowed tyranny, no recourse is possible for the subjects of the United States Government. Rebellion, even if arms became available, would not really be a solution to the tyranny because the government instituted after rebellion could claim no more legitimacy (because its judgments are no better than the former Supreme Court's; they just happen to be law) than the former tyranny. In essence, even with a Constitution, without heteronomy or some other standard for judgment, problems loom.

How does one address these problems (and others, as the "Introduction" will describe), particularly if the position which fosters them is true - no external standards *do* exist. Provisionally, the solution is to make the sovereign and subjects *believe* a metanarrative exists, and insure the principles derived from the metanarrative preserve the possibility of critique and dissent.

Humans, as Heidegger claims, are equipmental creatures; they look around for stuff to use, and the potential use of things is the source of their meaning. This is an 'Honors Research Project'. This project uses research authentically - it is equipment and will be used to address the problem of modernity<sup>iv</sup>. Three thinkers' positions will be examined for information on how to address the problem: Plato, St. Thomas Aquinas, and Kant. Plato will be examined because Plato's Socrates wrestled with positivism and rendered a solution in the form of a 'process'; Socrates, much like modern people, could not deny the 'truth' of positivism, but suggests a way of avoiding its problem (*i.e.*, no ability to evaluate judgments). Aquinas and Kant will be examined because both offer accounts of a law or set of principles that allow criticism of institutions and existing bodies of human law, and so provide a model for the belief the sovereign must entertain such that

its behavior is not tyrannical.

The 'saving' belief is actually a conjunction of two beliefs. The first belief is the privileging of science. The second belief is that a 'human' level of experience exists, more primordial and somehow with more authority than experience conditioned by culture, background and beliefs. The 'saving' belief is potentially suitable for institution on dynamic information processing systems (connectionist computers) such that the judgments of said machines would be 'human' rather than particular. Whether this is possible or not is of little significance - all that is necessary is that the sovereign and 'the masses' believe it is both possible and realized; a modern 'noble lie'.

Clearly, this is an interdisciplinary project. Indeed, without information and analytical tools from a multiplicity of disciplines, this project could not be realized. Work from the following disciplines is included: Philosophy, History of Philosophy, Political Theory, Government, and Cognitive Science. Philosophy allowed awareness of a problem in government, but the blend, or subjugation, of science by philosophy is likely the key move.

### *Introduction*

Humans have intents and interests. For whatever reason, humans do not always share the same interests. Indeed, these interests are often competing. If left unregulated, attempts to realize these interests would lead to conflict among both individuals and groups of interested people. Since humans tend to be passionate about many of their interests, conflicts would regularly become violent and whatever social organization existed would rapidly degenerate. Fortunately, the attempts to realize interests are not left

without regulation. Since the advent of recorded human history some form of a state has, for the most part, performed the government of human conduct such that behaviors are socially responsible.

Though the state performs this function in general, the particular manner of determining the appropriate conduct has differed from state to state. These differences lie in two categories: (1) the source of the laws (*e.g.*, monarch or democratic assembly); and (2) the laws or regulations themselves. The turn from monarchy to democracy and republicanism during the enlightenment opened the door to a problem without equal: the inability to make judgments across diverse experiences. Though the enlightenment was founded on a metanarrative (*viz.*, humans have certain inalienable rights and are the ultimate source of legitimate authority), the enlightenment's flowering was accompanied by the new science and the empiricist school of philosophy, both of which privileged experience as the foundation of human knowledge. In essence, the enlightenment placed responsibility for making judgments in the hands of the subjects of those judgments, and the new science and philosophy claimed that knowledge, and therefore the warrants for governmental judgments, is grounded in experience. Experience, however, varies, as did judgments, and no standard based on experience existed to evaluate the judgments. The battle was between the enlightenment metanarrative, which made claims that could not be grounded on experience but allowed judgments which were not relative, and the scientists and empiricists who held one could only know what one has experienced. The enlightenment beliefs lost; our time is postmodern - there are no metanarratives and one cannot philosophically justify behavioral prescriptions across particular experiential backgrounds.<sup>v</sup>

This postmodern inability to justify prescriptions is clearly a time bomb. While freedom is abundant, the state has become increasingly more pervasive. In addition, though the actions of the state have been subject to criticism by marginal people (e.g. the Simpson Criminal Trial), outright and determined criticism against the legitimacy of the political system and its prescriptions has not occurred. . . yet.

The following essay is an attempt to justify philosophically the possibility of a 'natural law' or prescriptive cross-experiential judgment. To accomplish this task, an examination of contemporary relativism and indication of what is wrong with that position is necessary at first? Why argue against something if its sound? The second stage is a survey of certain key thinkers on law, justice and judgment. Their thoughts will yield clues or suggestions about what is needed for a natural law. The third section lays out this author's thoughts on how to solve the problem. The final section is objections and replies.

## I

Relativism is, in a sense, specious. The position that judgments are contingent upon the frame of reference from which they are made<sup>vi</sup> seems accurate at first; however, deeper reflection renders it suspect. Yet when compared against its opposite - a natural law doctrine - its value is restored. The doctrine of relativism rests upon two foundations: historical/anthropological and epistemic. The epistemic ground of relativism signifies that humans can know only what they experience. This empiricist tradition began implicitly with the very first Ionian philosophers of Miletus who considered experience the source of knowledge and yet accepted the existence of phenomena not experienced if what was

experienced made the existence of these unexperienced phenomenon 'necessary'<sup>vii</sup>. This is a very weak form of empiricism and prevailed in various forms<sup>viii</sup> until the 17<sup>th</sup> century when the British Empiricists (John Locke and David Hume) discarded the doctrine of innate ideas and Cartesian Rationalism for pure experience: the truth of a claim requires its grounding in sensation. Though Hegel's immanent critique of these empiricists is quite correct<sup>ix</sup>, their basic tenet (*viz.*, one cannot 'know' something which doesn't present itself to the senses) persisted; this standard for knowledge is entirely appropriate - how else might humans know things<sup>x</sup>?

The privileging of experience as the source of knowledge (the epistemic basis for relativism) is constitutive of relativism in three interrelated ways. The first and most obvious reason is that experience is unique to the individual. Though two people may perceive the same parachute, for example, their experiences are different because their perspective will necessarily be different due the space taken by their bodies<sup>xi</sup>, and their sensory apparatus will not be the same - some people's vision is inferior to others. This first support for relativism is not particularly strong since it is not clear why these small differences in spatial perspective and sensory apparatus would make the knowledge gained from the experience differ to an extent sufficient for a gap in knowledge large enough to condemn prescriptive judgment by one of the individuals. The second reason contemporary epistemology promotes relativism is that background and expectations affect experience. This is both a devastating argument and a shocking claim: if a person from the 12<sup>th</sup> century saw a jet in the sky, the person might nonchalantly consider the object a strange bird because her expectations of such objects don't include 'jet'<sup>xii</sup>, whereas a person familiar with airplanes would recognize the object for what is 'really' is.

In other words, both would perceive the same sensation, but would experience different things. T. S. Kuhn's celebrated The Structure of Scientific Revolutions harbors a remarkable example of this phenomenon. According to Kuhn:

What a man sees depends both upon what he looks at and also upon what his previous visual-conceptual experience has taught him to see. . . . Sir William Herschel's discovery of Uranus provides a first example . . . On at least seventeen different occasions between 1690 and 1781, a number of astronomers, including several of Europe's most eminent observers, had seen a star in positions that we now suppose must have been occupied at the time by Uranus. One of the best observers in this group had actually seen the star on four successive nights in 1769 without noting the motion that could have suggested another identification. Herschel, when he first observed the same object twelve years later, did so with a much improved telescope of his own manufacture. As a result, he was able to notice an apparent disk-size that was at least uncommon for stars. Something was awry, and he therefore postponed identification pending further scrutiny. That scrutiny disclosed Uranus' motion among the stars, and Herschel announced that he had found a new comet! Only several months later, after fruitless attempts to fit the observed motion to a cometary orbit, did Lexell suggest that the orbit was probably planetary. When that suggestion was accepted, there were several fewer stars and one more planet in the world of the professional astronomer.<sup>xiii</sup>

Kuhn justifies two claims in that passage, only one of which is important at this time. The claim significant to the present argument is that the meaning or interpretation of experiences is contingent on expectations developed through training. The notion of training is not unique to science; indeed, customs and culture are essentially similar to training since they all construct a particular manner of approaching life. The second (and related) claim Kuhn makes (which will be important later) is that the actual object of sensation of the different scientists (what they saw in the telescope) were sufficiently similar to consider the object as the same - they all, in some sense, saw Uranus, but the belief they had about what they saw differed<sup>xiv</sup>. Kuhn's term for the training and expectations which affect experience is 'World View'; this term appears in the work of other thinkers (*e.g.*, Hannah Arendt) but will be used as Kuhn understood it.

The final sense in which epistemology buttresses relativism relies heavily on culture. In addition to culture's contribution to an individual's 'World View' is culture's

tendency to sculpt the preferences of its members. Most conceptions of Natural Law rely upon some universal characteristic of humans from which the laws are derived (*e.g.*, suffering). Cultures, through the sculpting of judgments about desirability in mates and personal qualities, tend to cultivate a certain manifestation of the universal characteristic. For example, in the case of the capacity to suffer's constituting a standard against which certain rights and rules of conduct are judged certain cultures that defend female genital mutilation present a problem. If deeds which lead to human suffering constitute evil, then female genital mutilation would, at first, seem obviously wrong, but, because some cultures develop traditions and beliefs that either celebrate the suffering, or obviate it, the standard is questionable at best. In cultures that celebrate the suffering as a rite of passage to womanhood (etc.), the judgment that suffering is an appropriate standard for judgment is called into question. In cultures that train the young women to ignore the pain, the standard is rendered impotent against genital mutilation because the deed does not cause human suffering. Conceptions of natural law that rely on human reason are more difficult for this sort of cultural variation to attack because reason is not considered a universal human trait; most people would agree that all humans had the *potential* to think rationally, yet few would claim that this potential is realized universally. Precisely because reason is not universal, however, begs the question of which person's version of reason is 'correct'.

In sum, the result of empiricist epistemology (*viz.*, the source of knowledge is experience - that which is present to sensory perception is knowable) is relativism because (1) the experiences of humans are unique to each individual, (2) the experiences of (and therefore knowledge possessed by) individuals are determined by both the sensation itself *and* the background beliefs and expectations - always shaped by culture - of an individual



and (3) cultures tend to breed a particular manifestation of supposedly universal qualities.

The third prong of the argument for epistemic relativism is essentially the second prong deepening the disparity between particular groups because particular manifestations of traits and ways of thinking are selected for mating (females who do not submit to genital mutilation, for example, are generally ostracized) while others are not. If the epistemic position is taken to its logical conclusion, extreme skepticism develops; since one does not experience external objects, only the sensations that we attribute to the 'action' of external objects, the only thing one can know is that there are sensations, not objects.

The second foundation of relativism is history/anthropology. Though certainly not unrelated to the epistemic ground for relativism (subsequently referred to as 'epistemic skepticism' for ease in comparing the positions), history/anthropology (subsequently referred to as 'historicism') weaves the argument in a subtly different way. The argument is roughly that because judgments about right and wrong (and nearly everything else) vary from historical period to historical period, those judgments must be contingent on a particular historical context. This is mildly different from epistemic skepticism because, in contrast to the epistemic argument that suggests that experiential contexts are determinate for knowledge, historicism indicates that historical contexts in particular determine judgments; not knowledge *per se*. Historicism is somewhat less relativistic than epistemic skepticism because judgments can at least be made during historical contexts, if not across them.

While historicism allows the construction of metanarratives during a particular historical context, a phenomenological account of Being results in what Leo Strauss labels 'Radical Historicism'.<sup>xv</sup> This label is something of a misnomer, a more accurate label is

'Radical Perspectivalism'. This label makes more sense because the phenomenological account of Being turns on the notion of 'for-the-sake-of-which', a concept articulated by Martin Heidegger in Being and Time. Put crudely, Heidegger's argument is that humans (Dasein) always understand themselves as 'being there'. The 'there' is sculpted by mood and the 'Understanding'; Heidegger's account of 'Understanding', however, is unique. For Heidegger, the 'Understanding' gives ready-to-hand objects their meaning by assigning a significance, or 'for-the-sake-of-which'. The significance of things around us constitutes a horizon of meaning and possibilities: our potential thoughts and actions are limited by the things we notice and fail to notice. The allocations of significance may or may not be unique to each individual, Heidegger cannot know because his observation of what other Dasein consider significant is always already framed by his perspective or horizon.<sup>xvi</sup> Humans (Dasein) understand things (assign significance) relative to their orientation, and are always already in a frame of significance (a 'there') when they make judgments. Consequently, judgments are relative.

The various foundations for relativism all foster believable arguments. The arguments are not perfect, however. All of the arguments, save Heidegger's 'radical perspectivalism' are susceptible to a strong immanent critique. In addition to the immanent critique, every argument, even Heidegger's, is subject to a practical problem: they lead to social dissolution.

Provisionally, the immanent critique of epistemic skepticism and historicism is that these positions require a relative judgment, but the positions themselves are expressed as absolute. In the case of epistemic skepticism, knowledge is due to experienced sensation, and sensation is unique to the particular individual. The claim is intuitive and not

grounded in experience; no one has ever had an experience<sup>xvii</sup> that indicates experience is the source of knowledge. The strict standards of experience are too great for the position itself to meet. An advocate of empiricism, however, might argue that the only thing present to human consciousness is sensation<sup>xviii</sup>, so any knowledge must be derived from sensation. The advocate would likely continue by reaffirming relativism since no experience of an objective position or objective knowledge occurs. This restatement is not a significant improvement because the claim of subjectivity is only true of the person making the claim; while all humans may only be capable of subjective experience, the claim that humans are universally subjective represents a statement of objective knowledge. In addition, this restatement is largely a version of Heidegger's position: what one can know is always already determined by context and the significance of phenomena. Heidegger is subject to the same critique that he is subjective and so cannot make universal statements, but he never argues he transcends his position (his 'there'). The validity of his claims is contingent on the acceptance of his claims by the reader of Being and Time.

The immanent critique of historicism is largely the same as epistemic skepticism's: were one to apply the claim that all thoughts and knowledge are contingent in a particular historical context to historicism, the doctrine itself would have to be considered a historical phenomenon - intractably linked to its age with no transcendental authority. The historicist doctrine could only be true for this particular time, and all prescriptions from it would bear the same limitation.

Immanent critique is only the first of two criticisms of relativism. The second criticism bears against relativism generally, as opposed to the particular foundation for a relativist position: relativism undermines democratic society. The manner in which

relativism accomplishes this is the close linkage between democracy, judgment, consent, and legitimacy. Implicit in the concept of democracy is the idea that policies are the product of the people subject to them. A consequence of this notion is that no authority beyond the people's judgment guides the policies, and these judgments must apply to those who make the judgments. Since the people are the ultimate ground of policies and no external standard is present, relativism prohibits the construction of a standard. Without a standard, the legitimacy of decisions is nil in the eyes of those who disagree with the policy. The apologist for 'relativism under democracy' could counter argue that democracy is the standard and what the people say is legitimate axiomatically, but this response essentially makes the authority of government the justification of government. In other words, if a subject of a tyrant questioned the legitimacy of the tyrant's action, the response analogous to the apologist's is that the tyrant's will is legitimate because the rule is tyranny, and axiomatically legitimate. The apologist of 'relativism under democracy' could argue that the rule of the people is legitimate because people are the source of sovereignty, whereas a tyranny is not grounded on popular sovereignty. This argument fails, however, because the judgment that the people are the source of sovereignty is not permissible under relativism; the apologist would have to assume her point to win her point. Relativism undermines both the legitimacy of popular sovereignty and the judgments produced by that system of government. Other forms of government also succumb to a similar problem, but do not privilege the authority of the subjects of authority; this distancing of the rule from the rule-maker, while philosophically impotent, improves the perception of legitimacy.

Relativism breeds problems for the state in terms of coercion as well. If judgments are relative, then the coercive power of the state is mitigated in two situations: (1) the person/corporation<sup>xxix</sup> denies membership in the society and the authority of the state; and (2) the person/corporation agrees that it is a member of the society and subject to authority but denies the state's judgment of what it did as wrong. The denial of membership undermines the legitimacy of the state's coercive ability if the state's ability to act is limited to its own citizens or if consent to the coercive power of the state is necessary for coercion. A denial of membership by a person/corporation is a judgment the state cannot claim to be incorrect, so the state cannot legitimately coerce the person/corporation into 'reacquiring membership'. Were there, however, some sort of principle or standard independent of the judgment of people buttressing the state's authority, then the state could criticize the denial of membership by the person/corporation. In essence, if the 'truth' or validity of judgments is relative to membership in a group<sup>xx</sup> then the judgment of whether an individual is a member is itself relative<sup>xxi</sup>, and if the ability to coerce is contingent on some sort of membership, then the individual could easily disavow membership - and claim to be an ambassador from another country, for example. Although such a claim is ludicrous on the surface, how might the authorities prove it wrong if no judgment is superior to any other because no standard exists against which judgments could be evaluated?

The other problem with state coercion is more simple: even if the person<sup>xxii</sup> considered itself a member and therefore subject to the state's authority, the person/company could still avoid prosecution/compliance. If the state needed some reason to exercise its authority (e.g., that a law be broken), then the person/company

could deny the reason existed - and its judgment would be equally legitimate. A claim by the state that the majority considered the person/corporation guilty, or that some mechanism the majority deemed appropriate for rendering judgment (*e.g.*, a jury) considered the person guilty should fail for both philosophical and practical reasons. Philosophically since the judgment that majority rule is legitimate is suspect; and practically because the majority is a potential source of tyranny and should have an external guide.

To take relativism seriously is to condemn the individual to impotence against the state for 'evil' deeds *and* to condemn the state to impotence against the 'evildoers' of society. This impotence is a consequence of the equal validity of judgments and the requirement of a superior judgment for legitimacy.<sup>xxiii</sup> Clearly, taking relativism seriously would lead to a hasty dissolution of society or eternal tyranny working toward the advantage of the stronger (the rulers). Societal dissolution might occur because the sense of security necessary for interaction is diminished if the state cannot enforce behavioral norms. Tyranny might result because no critique could be lodged against it that is not contingent on the interests of individuals (*e.g.*, even freedom) which certain people held. If enough people somehow acquired enough power to rebel based on some shared interests, the tyranny would remain; once the rebels achieved power, they would continue their actions based on interest and use their newly acquired power for realizing those interests - either the interests would be selfish, or they would be attempts to foster their conception of the 'common good'. The rebels-turned-rulers' conception of the 'common good' would not be shared by everyone, and the oppositional view would be equally valid and could support another rebellion. In other words, tyranny after tyranny would exist<sup>xxiv</sup>

because the guiding principle of action would be solely the motivation of the ruler.

A potential crisis exists both intellectually and socially. The intellectual crisis is the 'knowledge' of the impossibility of objective knowledge. No truth, meaning, *τελος*, right or wrong, good or bad, which is valid beyond the particular individual would be provable. The social crisis is the inability to justify preserving a particular set of values or political system (*e.g.*, democracy) if subject to an internal rebellion or external foe. In addition, society cannot justify coercion of its members who act in destructive ways; positivism's theoretical underpinning, relativism, undermines any prescriptive legitimacy of positivism. An impotent society collapses into Anarchy. While no one can know how humans might behave in Anarchy, the possibility exists for rampant killing, looting, raping, and pillaging. While these may or may not be 'bad' in an objective sense, consideration of how to absolve this potential crisis is in order.

## II

Philosophy began in Miletus, a city on the Mediterranean. Miletus was a port city which dealt with a great deal of trade; it served Greece, Egypt and Babylon. Thales is the Melisian credited with being the first philosopher. Thales' philosophy, however, is different from contemporary philosophy: he contemplated the source of things.<sup>xxv</sup> Questions emerge from certain beliefs and often betray those beliefs. For Thales to question the source of all things implies the belief that all things have a single source. For Thales, the world had an unchanging substance that underpinned and gave coherence to experienced reality. Subsequent philosophers also contemplated the source of all things. While Thales claimed the source was water, his student and critic, Anaximander, claimed

the source was something called 'The Unbounded'. Anaximander disputed Thales' solution because he perceived through experience that the elements tended to be in opposition to one another<sup>xxvi</sup>, and consequently could not all have come into existence if one (water) were primordial.<sup>xxvii</sup> This first interplay between philosophers betrays some important information about the underlying beliefs and methods of early philosophy: (1) all things had a single source from which came their nature; (2) experience could produce conclusions not immediately present to sensation. Anaximander's answer to Thales emerged from experience (the recognition that elements were in opposition), but his belief in a source of all things required something to replace water. The substance couldn't be anything experienced because no phenomenon in existence caused other things. This combination of belief and a vacuum in experience resulted in an answer claiming the existence of a substance not present to experience but necessarily in existence. The sophists inherited this belief and method in a peculiar form. The sophists of note (those particularly relevant to Plato's work) were Gorgias, Protagoras, and Thrasymachus. All three of these sophists came from areas on the outskirts of the Greek world: Protagoras from Abdera in Thrace, Gorgias from Leontini in Sicily, and Thrasymachus from Chalcedonia, a region southeast of Thrace. These individuals observed a breadth of cultures and belief systems but not a variety of natural phenomena; people believed different things were right and wrong, but fire was always hot and leaves always grew on trees. In essence, things in nature had a certain consistency while human morals and beliefs were contingent on the particular regional customs.<sup>xxviii</sup> This observation is remarkably similar to the argument for cultural relativism grounded in contemporary



anthropology. The sophists noticed that while things in nature are consistent across different geographical regions (*e.g.*, water runs downhill), the judgments of humans differed; people in different regions considered different things right and wrong, praiseworthy or punishable. Some sophists reasoned that judgments are necessarily contingent on particular experiences and background, rather than some innate 'reason' which made some objective right and wrong accessible to consciousness. Though Plato's Socrates is considered in opposition to the sophistic practice of accepting payment for teaching, Socrates actually spent a good deal of his time arguing against the substance of sophistic teaching: turning the weaker argument into the stronger. One cannot turn a weak argument into a strong one if an objective principle guides judgments<sup>xxix</sup>; sophistry is only possible if the value of a position is relative to the desires and experiences of the person one is attempting to persuade. Consequently, Socrates was both aware of and argued against relativism. Toward the end of finding a solution to the postmodern crisis, an examination of Plato's work is in order; Plato was the first philosopher of note to wrestle with relativism. The information sought from Plato falls into two categories: (1) the relationship between knowledge and judgment; and (2) the relationship between judgment and prescription by the state.

Interpretation of Plato across different dialogues is something of a suspect endeavor: the context of each dialogue affects the meaning of the speech, and the metaphors used in each particular dialogue do not necessarily correspond with other dialogues.<sup>xxx</sup> Consequently, a single platonic dialogue will be examined, with occasional notes indicating a few cross-references. The dialogue that concerns the issues of knowledge, judgment and the state most intently is the Republic.<sup>xxxi</sup> Since the notions of

relativism and positivism were not completely foreign to Plato, careful attention must be paid to passages where these 'modern' arguments are advanced and Socrates engages them in dialogue.

*Plato's Republic*

I declare he bears a strong resemblance to those figures of Silenus in statuary's shops, represented holding pipes or flutes; they are hollowing inside, and when they are taken apart you see they contain little figures of gods.

—Alcibiades describing Socrates in *The Symposium*<sup>xxxii</sup>

The Republic opens in a very curious fashion: Socrates is speaking to an unidentified person, perhaps even himself, about some events that occurred the day before.<sup>xxxiii</sup> No commentator seems to find this disturbing; it receives no explicit attention, however this beginning is potentially significant. Firstly, the anonymity of the listener of Socrates suggests that the particularity of the listener is not important for Plato in this dialogue- in other words, Socrates' story is suitable for all audiences. To be suitable for all audiences suggests that the material has meaning and significance (not necessarily the same meaning) for anyone who reads it and that the manner in which it is presented is 'human' rather than contingent on a particular context, social status or educational background. The entire argument *must* be present in the dialogue itself, otherwise some definition of the audience would be necessary such that the presuppositions required for comprehension would be accessible to the reader.<sup>xxxiv</sup> This also suggests that the issues are significant for humans generally. Secondly, the single voice indicates the piece is a dialogue in a monologue. A story. A story of what happened yesterday. A tale, which at the outset does not present itself obviously as a tale but which is explicitly considered a tale at the end.<sup>xxxv</sup> The alpha is implicit, the omega explicit but different - partially because

the beginning comes after the end: the events took place yesterday. Additionally, a monologue of this sort often is a parable that has an ostensible meaning and a metaphorical meaning. What Plato does not say explicitly at the beginning gives the careful reader a great deal of insight into the nature of the piece which follows.

“Book I” of the Republic introduces the views on justice of four people. The positive claims of Cephalus, Polemarchus, and Thrasymachus are constitutive of three of those conceptions. Socrates’ view on justice is at least partially revealed in the arguments lodged against the three positive claims; the requirements he places on a conception of justice must be met by his own articulation. By understanding the necessary conditions that Socrates imposes on a notion of justice, one can obtain a provisional understanding of his views on justice. Therefore close attention must be paid to the necessary consequences of Socrates’ arguments refuting the other three conceptions. The necessity of a conception of justice - how it interacts with the relationships between knowledge, judgment, and authority - will become clear as the arguments are examined.

The first claim about justice is from Cephalus. Cephalus (literally, the name is ‘Head’<sup>xxxvi</sup> - a position of authority) is an aged, pious, and wealthy man. Cephalus bids Socrates a greeting and, in perhaps a conceit<sup>xxxvii</sup>, asks Socrates to talk with the young people around him. Socrates implicitly declines and claims he delights in talking with the aged - they have experience the youth do not, and so can inform others about what its like to have reached an advanced stage of life. Socrates recognizes the disparity of perspectives and knowledge based on experience, and suggests that Cephalus’ perspective and experience are helpful for a judgment about whether being aged is a easy or hard time of life.

In the course of telling about what its like to be aged and why he is not particularly unhappy about it, Cephalus mentions wealth as a contributing reason. The wealth is useful because it allows Cephalus to reconcile his debts to the gods and fellow men, and it helps him to avoid lying, cheating, and acquiring debts in the first place. Cephalus is correcting what he considers unjust deeds by attempting to repair the damage. This is not necessarily justice, however, because the just man would probably not have incurred the obligations in the first place; Cephalus' view articulates the struggle to become just. Under this view, giving what someone is due at the time it is due, rather than giving back later in life what one has taken from someone earlier, would be just. Socrates ignores this distinction at first and labels (1) reckoning of one's debts (giving back what one has taken) and (2) telling the truth, as acting justly and proceeds to engage Cephalus in dialogue.<sup>xxxviii</sup> The question Socrates raises is whether giving back what has been taken or telling the truth is always just. Cephalus concedes that sometimes these actions are unjust. The question Socrates asks betrays something about what he considers just: not always giving what one has taken and not always telling the truth is just - what is missing is an account of the conditions under which these behaviors are appropriate (just) and when their opposites are appropriate.

Cephalus is aged - the voice of establishment and the head of a household. He represents tradition, and just like tradition itself, his argument gets handed down and carried out by the subsequent generation *viz.*, Polemarchus. By altering the argument of Polemarchus, Socrates is acting out the philosophical enterprise of critique and immanently showing to the reader of the Republic that persuasion of tradition is possible. The manner in which Cephalus' opinion was criticized did not appeal to an external source

- it merely called for internal consistency. The manner in which the alteration, or abandonment, of tradition occurs (through Polemarchus) deserves attention because if Socrates appeals to some external standard that may indicate his position on whether that is the way in which political systems should be critiqued. If Socrates does something else, that may indicate the external or objective standard has yet to be discovered and must be laid out later or that no standard exists at all. The refutation of Polemarchus will perhaps resolve this issue.

Cephalus leaves the argument on justice to engage in pious acts. The representative of tradition's priorities are clear: piety and religious belief over philosophy. Polemarchus initially distances himself from the argument (and incorporates another piece of tradition) by defending Simonides' claim about justice. Simonides' claim (*i.e.*, give to each what is owed) is very similar to Cephalus' and therefore Socrates requests that Polemarchus expound on Simonides' maxim such that it becomes clear how it avoids the problem of inconsistency present in Cephalus' claim.

This engages Polemarchus in the dialogue and removes his position from its traditional husk - Polemarchus must defend the opinion as an opinion without appealing to the prejudicial armor of tradition. Polemarchus substitutes 'what is owed' with 'what is fitting'. Socrates displays the problems with this view by constructing an analogy with art<sup>xxxix</sup>. The argument by analogy draws Polemarchus into considering that because justice is distributive (*i.e.*, it concerns giving out what is fitting: good to friends and bad to enemies) it is something of an art. Since the art is used on friends and enemies alike, Socrates points out that it seems useful only during times of conflict when enemies exist. Socrates therefore turns the argument from what just people do to how justice is useful.

This turn of the argument does not persuade Polemarchus to reconsider his position; rather, he asserts that just people are useful in times of peace for contracts and partnerships. Socrates persuades Polemarchus that this position does not advance the discussion since the just person is only useful in contracts while the things contracted are not in use; if, however, something is used or traded, someone with expertise or knowledge of the item to be used or traded is useful, while the just person is not. At this point Polemarchus is exasperated; he concedes he does not know what he means but still holds the opinion that justice is helping friends and harming enemies. Polemarchus is still not persuaded.

Socrates finally entices Polemarchus away from his opinion by suggesting that since (1) harming someone makes the person less just, (2) justice is a human virtue, and (3) acting virtuously does not decrease virtue in those on which one acts, the just person never harms anyone. A careful examination of how Socrates constructs the argument provides insight into how one criticizes judgment: he does not appeal to a principle external to the beliefs of Polemarchus, instead he persuades Polemarchus by indicating how his own belief (engaging in virtuous activity does not decrease the virtue of the subject of that action) is inconsistent with another (his initial opinion on justice).

Unfortunately, this approach offers little insight into why one belief is privileged over another: Polemarchus could have chosen to give up his belief in virtue.<sup>x1</sup> The structure of the dialectic is probably responsible for Polemarchus' choice. This is so because Socrates' presentation of the fact that the beliefs in virtue and justice were in conflict does not occur until after the belief in virtue had been identified as an axiom and the belief in justice placed the object of the debate and whose certainty was questionable.

In other words, Socrates hid the belief in virtue in the dialectic such that it did not appear as a belief but as an axiom, and subjected the belief in justice to that axiom. If Socrates' solution to conflicting value judgments *viz.*, between the values of virtue and justice, is that the judgment is conditional on the circumstance or frame of the question, then the crisis in judgment faced by modernity seems to receive no solution from Socrates.

A distillation of the manner in which Polemarchus is persuaded is as follows.

Polemarchus, the heir of tradition, is wrested from the traditional opinion by philosophy through two rhetorical moves. The first rhetorical move Socrates made was to require Polemarchus to restate Simonides' position; this restatement made Polemarchus identify the position as his own voice and think more independently. Socrates followed this move by placing the belief he wanted to remain (Polemarchus' view of virtue) in the dialectic as a secure position relative to Polemarchus' opinion of justice. In a sense, philosophy uses the dialectic and rhetoric to achieve a certain end. That end, however is not clear,<sup>xii</sup> nor is it justified in a way that avoids relativism.

Fortunately, "Book I" is not over and the key position that allows for the postmodern judgmental crisis (*i.e.*, positivism) has yet to be articulated. After Polemarchus and Socrates come to an agreement on the inadequacy of Polemarchus' initial opinion on the just, the two begin discussing how they are united against that former traditional view of justice. At this point, before Socrates and Polemarchus' new cooperative spirit can bear fruit by articulating a philosophically acceptable conception of justice, Thrasymachus furiously<sup>xiii</sup> leaps into the argument.

At first, Thrasymachus pushes Socrates to speak his opinion of justice rather than remain the critic, but does not succeed for reasons explained in endnote 40.

Thrasymachus finally agrees to speak instead of continuing to cajole Socrates into speaking and pronounces that the just is only the advantage of the stronger.<sup>xliii</sup> For Thrasymachus, the rulers are the strong, and the ruled the weak. The rulers make rules for their own advantage, and it is just for the ruled to obey these rules. Under this notion of justice, no judgment by the people subject to the laws is possible. Consequently, philosophy is nearly impossible because it constitutes (or at least enables) criticism of state actions and questions tradition, both of these actions are unjust (and therefore punishable) under Thrasymachus' notion of justice. Philosophy is only nearly impossible, rather than wholly destroyed under positivism, because it has two ways to manifest itself. The first is to operate in secret, however the act of philosophy would still be unjust, so this is somewhat unacceptable. The second way in which philosophy could still operate under a notion of justice as advantage of the stronger is if the philosophers were the stronger - if the philosopher ruled, then their judgment would be manifest. Unfortunately, philosophical rule is somewhat in conflict with the notion of philosophy so far demonstrated by Socrates *viz.*, critiquing through the dialectic and avoiding a positive accounts of things, because a ruler must advance positions rather than criticize them.

After Thrasymachus offers his account of justice Socrates begins questioning it and claims that since ruling is an art, and arts work toward the benefit of the object of the art (in the case of ruling, that is the subjects of the rule), then ruling cannot be to the advantage of the stronger, rather it is to the advantage of the weaker. To this argument Thrasymachus counters that the art of shepherding, for example, works to the benefit of the sheep, but not with their advantage as its goal. In the case of ruling, Thrasymachus' argument is that the rule may benefit the ruled, but the laws are not made toward the



advantage of the weak.<sup>xliv</sup> To this argument Thrasymachus adds that perfect injustice (injustice which is so cleverly instituted that it is not perceived as injustice) is more profitable than acting just. Socrates shifts away from examining Thrasymachus' claim on justice and switches to examining the claim of injustice being more profitable than injustice.

While Socrates succeeds in proving that injustice is less profitable than justice, he *fails* to defeat Thrasymachus' claim that the just is the advantage of the stronger; Socrates admits this:

Before finding out what we were considering at first—what the just is—I let go of that and pursued the consideration of whether it was vice and lack of learning, or wisdom and virtue. And later, when in its turn an argument that injustice is more profitable than justice fell on my way, I could not restrain myself from leaving the other one and going after this one, so that now as a result of this discussion I know nothing. So long as I do not know what the just is, I shall hardly know whether it is virtue or not and whether the one who has it is unhappy, or happy.

Two important observations must be made about this passage in addition to the failure to grapple with Thrasymachus' notion of the just: (1) Socrates demonstrated through his dialogue with Polemarchus that he (and philosophy) choose which belief to attack very carefully - Socrates chose not to address Thrasymachus' notion of justice; and (2) Socrates knows nothing as a result of the argument. This vacuum of knowledge wasn't present before - Socrates knows that to concede positivism is to concede that one does not know the just (or anything else objective) because if one did, the rule of the stronger could be objectionable, and the argument for positivism could be defeated.

The issue of whether Plato's answer to the crisis of judgment about what is good is largely complete: positivism cannot be defeated and therefore no claim to knowledge is possible. The warrants for this claim or interpretation are not exhausted. Some very

strong evidence for the claim that Plato concedes positivism, but cannot openly do so, is found early in “Book II” of the Republic. In “Book II” Glaucon and Adeimantus take up part of Thrasymachus’ position: that injustice is better than justice because they believe that justice is better than injustice and want Socrates to show them why. If Glaucon and Adeimantus articulate the position that injustice is better than justice, then Socrates could engage them in dialectic and shift that opinion, viz., injustice is better than justice, to knowledge that justice is superior. Socrates does agree to take issue with Glaucon and Adeimantus, but with a clever and significant provision: the issue of whether justice is better than injustice must be approached from the level of the city. Socrates claims this move from individual to city would make things more manageable, but it must be significant for another reason since, at the end of “Book I” Socrates conceded that without an adequate notion of what the just is, he knows nothing, so cannot really tell whether justice is better than injustice. Somehow the examination of justice on the level of the city allows Socrates to break through this ignorance. The reason Socrates requires examination on the city level is because positivism is true: the just is the decision of the stronger, and by discussing justice as founders of the city, Socrates, Glaucon, and Adeimantus become the stronger, and thus can say what the just is, at least in their city.<sup>xlv</sup>

Since Socrates has conceded that he cannot say what the just is outside the confines of positivism<sup>xlvi</sup>, Plato has failed to provide a solution to the crisis of modernity; Plato has not left the project empty-handed, however, because Socrates’ behavior with Polemarchus provides a model for how to avoid the evils of positivism. Although no external standard exists, opinions are generally not monolithic (*i.e.*, they contain their own negation), so the task of philosophers is to engage opinions that are harmful to philosophy

in a dialectic which hides the (no more objectively legitimate) opinion which conflicts with the opinion harmful to philosophy. Therefore, in a sense, Plato has both conceded positivism and relativism, but has uncovered an intra-systemic *process* for wrestling with the evil consequences of those positions. The articulation of justice<sup>xlvi</sup> from Socrates' city is merely another convention because the underlying assumptions of the regime (*e.g.*, justice is salutary) are not privileged in some objective sense; therefore the material from Plato's Republic subsequent to the point where Socrates, Glaucon, and Adeimantus become the stronger is not integral to this essay. Determining what the belief hidden in the dialectic against contemporary belief in relativism might look like is integral, though, and that belief must be some sort of 'natural law', or privileged principles. Consequently, an examination of the view of an eminent thinker on natural law must be examined.

*Saint Thomas Aquinas' Summa Theologica*

The Thomistic philosophy cannot, in the eyes of modernity, pretend to supply a legitimate foundation for a natural law because of its theological underpinning. It can, however, provide a scheme or set of necessary conditions which a natural law must possess to function appropriately. In the case of this project, Aquinas can provide a structure to the product of the dialectic between the belief in relativism (etc.) and the some belief (as yet undiscovered) such that the product can operate as a standard against which positive laws are judged.

Like the portion on Plato, this section on Aquinas will focus on one work: the Summa Theologica. The Summa Theologica is a treatise written largely to expound the theological views of Aquinas while answering challenges to philosophy and faith by the Augustinians and the Latin Averroists, respectively. While Plato hid certain ideas in his

text, Aquinas is overt. In addition, Aquinas' philosophical method is something of a dialogue, yet character and setting are not considerations - only the 'pure' argument. Plato seemed to recognize the significance of context, motivation, and belief on the legitimacy of claims and the structure of an argument. Aquinas, in accord with his position on the issue of relativism<sup>xlviii</sup> did not include context, etc. in his argument; the actual issue itself is of critical importance.

The term 'Natural Law' is the product of the two constitutive terms: 'natural' and 'law'. An explication of Aquinas' position therefore requires an understanding of what he means by 'natural' and what he means by 'law'. Nature is the aspect or characteristic of an entity which makes a thing be that entity. In "Part I", "Question 29", "Article 2"<sup>xlix</sup>, Aquinas states:

According to the Philosopher [Aristotle in the *Metaphysics*, v, 8 (1017<sup>b</sup>23).] substance is spoken of in two ways. In one sense it means the quiddity of a thing, signified by its definition, and thus we say that the definition means the substance of a thing; in this sense substance is called by the Greeks οὐσία, which we may call essence. . . . It [substance] is also called by three names signifying a reality—that is, "a thing of nature," "subsistence," and "hypostasis," according to a three-fold consideration of the substance thus named. For, as it exists in itself and not another, it is called subsistence; as we say that those things subsist which exist in themselves, and not in another. As it underlies some common nature, it is called a thing of nature; as, for instance, this particular man is a human natural thing.<sup>1</sup>

Aquinas' explication of 'substance' indicates a close relationship between that term and nature; nature has two linked meanings: (1) the essence, or essential and defining characteristics of the thing; and (2) a genus of substances which have a common essence (e.g., a human natural things as opposed to an angelic divine thing). Instead of 'human natural thing', Aquinas could have said 'fox natural thing', since both are substances with an underlying essence of the natural type, rather than divine substance.

This provisional account of nature leaves much unsaid: it begs the questions of (1)

what is the underlying essence of humans, and (2) what does it mean to be a natural thing.

An account of the underlying and defining essence of humans would be particularly useful

since Aquinas makes claims about a natural law, rather than a law of nature. A clue to

these questions is found in the first article of the 80<sup>th</sup> question of “Book I”:

It is necessary to assign an appetitive power to the soul. To make this evident, we must observe that some inclination follows every form; for example, fire, by its form, is inclined to rise, and to generate its like. Now, the form is found to be more perfect in those things which participate in knowledge than those which lack knowledge. For in those which lack knowledge, the form is found to determine each thing only to its own being—that is, to the being natural to each. Therefore this natural form is followed by an natural inclination, which is called a natural appetite. But in those things which have knowledge, each one is determined to its own natural being by its own natural form, in such a manner that it is nevertheless receptive of the species of other things; for example, sense receives the species of all things sensible, and the intellect of all things intelligible, and thus the soul of man is, in a way, all things by sense and intellect. And thus those things that have knowledge, in a way, approach to a likeness of God, “in Whom all things pre-exist,” as Dionysius says (*Div. Nom.* V).

Therefore, as forms exist in those things that have knowledge in a higher manner and above the manner of natural forms, so must there be in them an inclination surpassing the natural inclination, which is called the natural appetite. And this superior inclination belongs to the appetitive power of the soul, through which the animal is able to desire what it apprehends, and not only that to which it is inclined by its natural form.<sup>11</sup>

The above citation answers the second questions about Aquinas’ view of nature, and lays the foundation for the answer to the first. The essence of an entity is the structure of inclinations of behavior for its form. So, for humans to be a natural thing (question #2) means that they possess inclinations from their form; the human essence has certain inclinations and is determined by them. Humans also have the potential to know things through sensation and the intellect, however, so share something with the nature of divinity. Human knowledge manifests itself in inclinations from the soul. Thus humans have natural and semi-divine inclinations. To answer the first question completely, the actual inclinations of humans must be determined rather than their general nature. These inclinations stem both from what humans apprehend through the intellect and the senses

and their status as natural. Aquinas elaborates and indicates what they are in the following passage:

Now a certain order is to be found in those things that are apprehended by man. For that which, before anything else falls under apprehension, is being, the understanding of which is included in all things whatsoever a man apprehends. Therefore the first indemonstrable principle is that the same thing cannot be affirmed and denied at the same time, . . . Now as being is the first thing that falls under the apprehension absolutely, so good is the first thing that falls under the apprehension of practical reason, which is directed to action; for every agent acts for an end, which has the aspect of good. Consequently the first principle in the practical reason is one founded on the notion of good, namely, that the good is what all desire. Hence, this is the first precept of the [natural] law, that good is to be pursued and done, and evil is to be avoided. All other precepts of the natural law are based upon this, . . .

Since, however, good has the nature of an end, and evil the nature of a contrary, hence it is that all those things to which man has a natural inclination are naturally apprehended by reason as being good, and consequently as objects of pursuit, and their contraries as evil and objects of avoidance. Therefore the order of the precepts of the natural law is according to the order of natural inclinations. Because in man there is first of all an inclination to good in accordance with the nature which he has in common with all substances; that is, every substance seeks the preservation of its own being, according to its nature. And by reason of this inclination, whatever is a means of preserving human life, and of warding off its obstacles belongs to the natural law. Secondly, there is in man an inclination to things that pertain to him more specially, according to that nature which he has in common with other animals. . . . [S]uch as sexual intercourse, education of offspring and so forth. Thirdly, there is in man an inclination to good, according to the nature of his reason, which nature is proper to him; thus man has an inclination to know the truth about God, and to live in society. . . . [W]hatever pertains to this inclination belongs to the natural law; for instance, to shun ignorance, to avoid offending those among whom one has to live, and other such things regarding the above inclination.<sup>iii</sup>

By nature, humans are inclined to pursue and do good, preserve themselves, and desire true and divine knowledge. The recognition of the good is innate and always already understood when things are apprehended; the natural is apprehended connaturally. These inclinations constitute human essence or nature, and ground the natural law. The remaining question concerning Aquinas is what he means by 'law'.

Aquinas' understanding of law has two parts: (1) a description of the law; and (2) the 'essence' or 'ordering' of the law, or judgment. The description of the law is fairly straightforward. For Aquinas, "Law is a rule or measure acts, by which man is induced to act or is restrained from acting[.]" and this rule is guided by a *telos* known to reason.

While these rules or measures are either written, spoken, or both, the essence of the law lies behind the spoken and written; laws are dictates, but, for Aquinas, the motivation behind them is essential for understanding law. The motivation behind the law is a certain purpose determined by the inclinations present in human beings. For example, self-preservation is one of the inclinations of humans and, under certain circumstances, carrying a gun inhibits that inclination. Consequently, law-makers would determine the under what circumstances the action (carrying a gun) is harmful (*e.g.*, when the person carrying the gun is not trained in its use) to a natural inclination.

In essence, Aquinas' explanation for the law is that a relationship exists between a set of facts (or a condition) and have a purpose or inclination. The natural law constitutes that purpose and the law-maker determines which situations place those purposes in jeopardy. The judgment of the law maker is then instituted into a command or directive judgment. Aquinas is precise in his usage of command, and his understanding should not be confused with the expression of the will of the sovereign, in the sense of John Austin<sup>liii</sup>.

Aquinas' comment on the relationship between command and will:

Command is an act of the reason, presupposing, however, an act of will. In proof of this, we must take note that since the acts of the reason and of the will can be brought to bear on one another, in so far as the reason reasons about willing and the will wills to reason, the result is that the act of reason precedes the act of will, and conversely. . . .

Now, command is essentially indeed an act of the reason for the commander orders the commanded to do something, by way of intimation or declaration, and to order thus by an act of intimating or declaring is an act of reason.<sup>liv</sup>

For Aquinas, will and reason can influence on another: one can will to reason and reason about will, so a command could be one of these options. Since command is an order to do something by way of communication, rather than the execution of the deed, it is an act of reason. Will is always already presupposed, however, since the issuance of the command



requires an intent to issue and because the completion of the command is an act of will.

While Plato conceded that will is sufficient for legitimacy (judgments about just and unjust are relative to the source regime), the Thomistic conception of natural law can critique regimes because it contains an internal standard for determining the goodness or badness of judgments; Aquinas was quite aware of positivism and even concedes that laws grounded on it solely are good, in a sense, but claims that they do not possess the same goodness as a law grounded on his natural law standard:

[A] law is nothing else than a dictate of reason in the ruler, by whom his subjects are governed. Now the virtue of a sub-ordinate thing consists in its being well subordinated to that by which it is regulated. Thus we see that the virtue of the irascible and concupiscible faculties consists in his being well-subjected to his ruler, as the Philosopher [Aristotle in the *Politics*, I, 13 (1260<sup>b</sup>20)] says. But every law aims at being obeyed by those who are subject to it. Consequently it is evident that the proper effect of law is to lead its subject to their proper virtue; and since virtue is "that which makes its subjects good," it follows that the proper effect of law is to make those to whom it is given, good, either absolutely or in some particular respect. For if the intention of the lawgiver is fixed on true good, which is the common good regulated according to Divine justice, it follows that the effect of the law is to make men good absolutely. If, however, the intention of the lawgiver is fixed on that which is not good absolutely, but useful and pleasurable to himself, in opposition to Divine justice, then the law does not make men good absolutely, but relatively, that is, in respect to that particular government. In this way good is found even in things that are bad themselves; thus a man is called a good robber, because he works in a way that is adapted to his end.<sup>lv</sup>

Aquinas, like Plato, grants that good, in the relative sense, is contingent on the particular regime issuing the laws. He, unlike Plato, maintains another sense of good exists, the absolute, which is contingent on Divine justice and requires that the laws of the regime are salutary, among other things; Plato could not maintain that laws should be salutary beyond the particular regime in which Glaucon, Adeimantus and Socrates were the stronger. The Thomistic formulations' ability to critique, however, is clearly dependent on the notion of Divine justice. Indeed, Aquinas' Divine justice itself is a 'positive law' because its legitimacy is contingent on the position of God relative to humans - the supremacy God provides the authority for natural law to be superior to human positive law:



Now wherever there are movers ordered to one another, the power of the second mover has to be derived from the power of the first mover, since the second mover does not move except in so far as it is moved by the first. Hence we observe the same in all those who govern, so that the plan (*ratio*) of government is derived by secondary governors from the governor in chief; thus the plan of what is to be done in a state flows from the king's command to his inferior administrators. And again in things of art the plan of whatever is to be done by art flows from the chief craftsman to the under-craftsmen who work with their hands. Since then the eternal law is the plan of government in the Chief Governor, all the plans of government in the inferior governors must be derived from the eternal law. But these plans of inferior governors are all other laws besides the eternal law. Therefore all laws, in so far as they partake of right reason, are derived from the eternal law.<sup>lvi</sup>

At first glance Aquinas appears to be blurring the descriptive with the prescriptive: he claims all laws are derivative of the eternal law by definition, yet in the passage from page 214, he claims that the absolute goodness of a law is relative to the degree to which it manifests Divine justice. Therefore, since the law is derived from the good, it is good. The solution to this apparent discrepancy is the notion of 'right reason'. While law is a product of reason (which presumes an act of will), human reason is not always 'right', so the reason which produces law, while a derivative of divine substance, is not perfect. Analogously, the product of that reason, human positive law, while derivative of the decree from God's superior position: eternal law, is not necessarily perfectly realized.

One final necessary element of Aquinas' natural law exists. The law must be promulgated. Though Aquinas claims the natural law is known connaturally (*i.e.*, it is apprehended without the exercise of volition), the human positive law determines which conditions could inhibit the realization of natural human inclinations<sup>lvii</sup> and legislates toward that end. Since the human positive law is not known to people innately, it must be decreed. In addition, some people do not have right reason, and so require direct indication. Finally, obedience to the law is only possible if people know the law. Aquinas explains the final reason why promulgation is necessary:

[A] law is imposed on others by way of a rule and measure. Now a rule or measure is imposed by being applied to those who are to be ruled and measured by it. Therefore, in order that a law obtain the binding force which is proper to a law, it must be applied to the men who have to be ruled by it. Such application is made by its being notified to them by promulgation. . . . The promulgation that takes place now extends to future time by reason of the durability of written characters, by which means it is continually promulgated.

In sum<sup>lviii</sup>, the Thomistic formulation of natural law turns on four characteristics:

(1) it is derived from a position superior to human positive law<sup>lix</sup>; (2) it is good in an absolute sense rather than a particular sense - it addresses humans as humans, rather than as members of a particular state - because God is the sovereign; (3) though superior to human positive law, it is not independent of that law; it must be articulated in the positive law<sup>lx</sup>; and (4) it must be promulgated. Aquinas' understanding of the natural law is insufficient for solving the postmodern problem of the inability to prefer certain judgments because it rests on a belief that is itself not justifiable by a decontextualized or privileged judgment. The role of God and the eternal law of God cannot be overstated for Aquinas' conception: the belief in both the existence and superior position of God, and that God is the source of certain natural inclinations for humans, is integral to both natural law's very existence and, of equal importance, the capability for criticism based on natural law.

Unfortunately for modernity, the belief in God cannot be justified.<sup>lxi</sup>

*Immanuel Kant's On the Common Saying: 'This May be True in Theory, but it does not Apply in Practice'*

Immanuel Kant's political philosophy holds a prestigious position in neither the discipline of philosophy nor political theory. Two reasons explain this deficiency: (1) the works were only recently translated<sup>lxii</sup>; and (2) Kant's critical philosophy is so demanding and stimulating that it absorbs a disproportionate amount of examination. Kant's political writings, however, are worthy of an examination because of the premise or motivation

behind them. Kant's philosophy is largely stimulated by David Hume's refutation of the philosophical possibility of induction (and therefore science)<sup>lxiii</sup>. Kant's solution to this problem was to concede that experience is insufficient to justify belief in science, and to begin the inquiry on different ground - Kant started with the mind rather than the objects of experience. This move led Kant to claim that 'laws of nature' are not inherent in nature (as Hume did) and to claim further that an *a priori* structure exists to human circumspection which orders nature:

Hitherto it has been assumed that all our knowledge must conform to objects. But all attempts to extend out knowledge of objects by establishing something in regard to them *a priori*, by means of concepts, have, on this assumption, ended in failure. We must therefore make trial whether we may not have more success in the task of metaphysics, if we suppose that objects must conform to our knowledge. . . . I must assume that the *concepts*, by means of which I obtain this determination [that our knowledge conforms to the objects of experience], conform to the object, or else I assume that the objects, or what is the same thing, that the *experience* in which alone, as given objects, they can be known, conform to the concepts. . . . In the latter case the outlook is more hopeful. For experience is itself a species of knowledge which involves understanding; and understanding has rules which I must presuppose as being in me prior to objects being given to me, and therefore as being *a priori*. They find expression in *a priori* concepts to which all objects of experience necessarily conform, and with which they must agree.<sup>lxiv</sup>

The move from experience being the provider of all knowledge to the understanding providing *a priori* knowledge which allows experience to succeed in allowing scientific knowledge leads to an entirely different conception of 'natural law' than Aquinas. While divinity made nature ordered for Aquinas, Kant's nature obtains order from the *a priori* principles in the understanding. Clearly, then, Kant's formulation of 'natural law' (Kant never uses the term natural law) will have certain advantages over Aquinas' because it can appeal to *a priori* principles rather than eternal law for legitimacy, and therefore it can avoid some elements of positivism since the position of authority is not integral to the legitimacy of an *a priori* principle.<sup>lxv</sup> Moral conduct is similar, for Kant, to nature: only if

rules or principles are found which are logically independent of experience can humans understand morality. The first of these principles is that morality implicitly assumes freedom - moral decisions are only possible if the will is assumed free to act. In addition, will is individual so freedom is also individual. Consequently, societies must be the consequence of a social compact, or willed participation by free individuals. Kant describes the role of freedom in the civil society:

In all social contracts, we find a union of many individuals for some common end which they all *share*. But union as an end in itself which they all *ought to share* and which is thus an absolute and primary duty in all external relationships whatsoever among human beings (who cannot avoid mutually influencing one another), is only found in a society in so far as it constitutes a civil state, . . . And the end which is a duty itself in such external relationships, and which is indeed the highest formal condition of all other external duties, is the *right* of men *under coercive public laws* by which each man can be given what is due to him and secured against attack from any others. But the whole concept of an external right is derived entirely from the concept *freedom* in the mutual external relationships of human beings, and has nothing to do with the end which all men have by nature (i.e. the aim of achieving happiness) or with the recognized means of attaining that end. . . . *Right* is the restriction of each individual's freedom so that it harmonises with the freedom of everyone else . . . [A] civil constitution is a relationship among *free* men who are subject to coercive laws, while they retain their freedom within the general union with their fellows. Such is the requirement of pure reason, which legislates *a priori*, regardless of empirical ends (which can all be summed up under the general heading of happiness). Men have different views on the empirical end of happiness and what it consists of, so that as far as happiness is concerned, their will cannot be brought under any common principle nor thus under any external law harmonising with the freedom of everyone.<sup>lxvi</sup>

Freedom exists on two levels for Kant. Freedom on the individual level is the ability to seek happiness. This freedom is ceded to the state at the advent of the social compact. Kant, incorporating a relativist position such that he can transcend it, affirms that the things which cause happiness vary from person to person, so the second level of freedom, that which is provided by the state, is the freedom to attempt to realize happiness. Under Kant's conception, the state is not allowed to coerce its subjects toward some conception of happiness, merely to protect freedom from infringes by others. Therefore Kant's conception rules out tyranny; indeed, it rules out the will of the sovereign as the ultimate

source of legitimacy because the guiding principle of the law is not the sovereign's discretion, whether that discretion aims at realization of the sovereign's happiness or the happiness of the subjects, because no single conception of happiness is true for all people.

For the sake of thoroughness, Kant's *a priori* principles are:

The civil state, regarded purely as a lawful state, is based on the following *a priori* principles:

1. The *freedom* of every member of society as a *human being*.
2. The *equality* of each with all the others as a *subject*.
3. The *independence* of each member of a commonwealth as a *citizen*.<sup>lxvii</sup>

The principle of freedom requires that "no one can compel [someone else] to be happy in accordance with his conception of the welfare of others, for each may seek his happiness in whatever way he sees fit[.]"<sup>lxviii</sup> The principle of equality is somewhat misleading if considered by name alone. This principle indicates that all subjects of the coercive authority of the head of state are equally subject to coercion; the head of state seems to not be subject to coercion. Notice that Kant does not use the term 'sovereign' to describe the source of coercion. Kant is clearly not locating sovereignty in a place separate from the subjects of coercion, even though the source of that coercion is independent of coercion. This constitutes a difficulty: if the head of state cannot be coerced, and coercion is the manner in which the *a priori* principles are insured, then the head of state is not subject to the *a priori* principles. The answer to this difficulty is that coercion is only legitimate when justified by the *a priori* principles, therefore if a head of state acts contrary to those principles, the head of state loses the position as head of state, and therefore becomes a subject of coercion, rather than independent of it. In addition, the judgments to coerce are from the will of the entire people - the head of state is merely an executive. The final principle, independence as a citizen, is essentially that people must be

free to vote in an independent fashion such that their untainted will can be executed.

Significantly, Kant's critical philosophy was already complete at the time he wrote on political topics, consequently, he presupposes a categorical imperative<sup>lxix</sup> to judgment underlying the popular sovereignty.

Kant's position is appealing because it seems to offer an escape from empiricism and allow for legitimate coercion. Empiricism is avoided because of Kant's reversal of epistemological presumption such that the mind is the source of knowledge and sensation the fountain which provides the material which the mind arranges. Unfortunately, this is a superficial solution because the belief that the mind arranges sensation in a manner universal to humans such that all of our judgments are sufficiently similar for legitimate behavioral expectations and prescription is no better than the belief that it does not. In other words, Kant's solution only works if people accept his underlying premise for which there is no 'justification'.

Kant also is problematic at the juncture between nature and morality, and morality and law. The linkage between nature and morality is, according to Kant, that both are 'assembled' by the mind. However, this is suspect. An arrangement of nature by the mind makes some sense based on, if nothing else, evolutionary theory, because expectations about nature are necessary for efficient foraging and hunting. Arrangement of the moral realm does not have the same urgency and may not receive that sort of mental attention. More seriously, what could the mind order with respect to morality? No possible answers are offered here because there do not seem to be any.

The problem with Kant's relationship between morality and law stems from a 'linguistic phenomenology'-based examination of the two terms. Laws, regulations and

commands are obeyed, whereas principles are subject to volition: humans can choose to follow them. Acts are labeled morally praiseworthy or blameworthy because the acts are not accidental, rather they are chosen. Indeed, this very notion of choice is the foundation for Kant's *a priori* principle of freedom since freedom of will is necessary and presupposed by the notion of choice. In addition, disobedience to law carries an expectation of punishment because laws are enforced. The choice to disregard a principle, however, may carry disagreeable results, but the similarity ends at that point. Though the similarity between law and morality is suspect, Kant's insight is still quite good - even the notion of law includes some notion that following the law is a choice.

In spite of Kant's difficulties, the formulation of a standard for critiquing behavior grounded on *a priori* principles provides a lesson useful for the project of this thesis. While Aquinas' rules of behavior were established heteronomously (*i.e.*, they are derivative of the eternal law), Kant's rules are somehow 'just there' - present to cognition. This difference is significant for two reasons: (1) it offers another option about how to institute a standard for judgment; and (2) humans tend to shun heteronomous prescriptions. The importance of the first reason why the difference is significant only becomes apparent after articulation of the second; the value of a second manner (Kant's *a priori* principles) in which to institute standards is not clear unless the first option (Aquinas' natural law) is demonstrated to be comparatively inferior.

While humans clearly rebel against slave-holders and other external rulers or sources of law, perhaps the deepest example that humans shun external rules is the existence of government itself. Religion is the epitome of heteronomous prescriptions, and, if it wasn't a failure (in some very profound sense) government would not be

necessary for providing and regulating behavioral norms. The Bible even alludes to the natural rejection of Divine prescriptions in "Genesis":<sup>lxx</sup>

Now the serpent was more crafty than any of the wild animals the LORD God had made. He said to woman, "Did God really say, 'You must not eat from any tree in the garden'?"

The woman said to the serpent, "We may eat fruit from the trees in the garden, but God did say, 'You must not eat fruit from the tree that is in the middle of the garden, and you must not touch it, or you will surely die.'"

"You will not surely die," the serpent said to the woman. "For God knows that when you eat it your eyes will be opened, and you will be like God, knowing good and evil. . . . [s]he took some and ate it. She also gave some to her husband, who was with her and he ate it. Then the eyes of both of them were opened and they realized they were naked; so they sewed fig leaves together and coverings for themselves.

Then the man and his wife heard the sound of the LORD God as he was walking in the garden . . . and they hid . . . But the LORD God called to the man, "Where are you?"

He answered, "I heard you in the garden and I was afraid because I was naked; so I hid."

And he [God] said, "Who told you that you were naked? Have you eaten from the tree that I commanded you not to eat from?"<sup>lxxi</sup>

Several interesting observations spring from this reference: (1) the cause of the degeneration from eternal bliss (Eden) to the earthly realm is a natural phenomenon (a snake) which is not Satan - at least no mention of that identity is made in the text; (2) the command of God is indeed remarkably similar to law - man and woman feared breaking it, its authority is derived from the superior position of God, and it is verbally promulgated; (3) the desire for wisdom or to break God's command motivated the breakage of God's command because other trees produced excellent fruit - the tree was unique because it bore the fruit of wisdom and because it was forbidden. Notice that after eating the fruit, the humans fear showing themselves naked before God, but do not fear his wrath nor do they appear shameful for their disobedience; considering that they have acquired knowledge of good and evil, this is a curious judgment to say the least. In any event, humans seem to reject prescriptions from on high, so a standard for judgment like Kant's, which is not from on high, is useful.



Overall, the ideas gleaned from an examination of the philosophical technique for dealing with relativism and positivism (Plato), a standard for judgment derived from a higher with legitimacy contingent on that higher position (Aquinas), and a standard for judgment grounded in logic and ontological necessity (Kant), produce an approach for dealing with the problem of this thesis *viz.*, how to concede the truth of the relativist position but avoid its consequences of the impotent state, and the illegitimacy of rebellion or critique. From Plato, the lesson is that a belief must be found that (1) can be hidden or protected such that those who hold the belief will consider it uncritically, and (2) that conflicts with the effects of relativism or relativism itself. Then the preferred belief must be given a privileged position by persuasion accomplished through the framing of the issue and the conflicting beliefs in the dialectic. Whether the belief is true or not is of little consequence for Plato. From Aquinas is the idea that the standard should serve as a guide for where the law is needed, and a possible vehicle for implementation of a standard: human inclinations. From Kant came another vehicle for implementing a standard: structures mapped onto experience by, and in, the mind which logically require certain conditions for human existence. Kant's is a human natural law.

The belief necessary for implementing Plato's method which conflicts with, and if properly couched, could unseat relativism is implicit in Kuhn's notion of World View as discussed in the "Introduction" to this thesis. A World View is a set of expectations which "color" or condition the experiences people have. The very notion of altering experience suggests that some experience exists to alter. In other words, while the background and culture of an individual may modify experiences, the sensations of phenomena themselves are received by a human being. Therefore, two levels to human

experience exist, the sensation itself received and processed by a sensory apparatus roughly the same for all humans, and then a conditioning of that experience (*e.g.*, which objects of experience receive attention and the identification of the objects) occurs strongly influenced by background and culture. A belief corollary to the belief in a 'human' level of experience is the belief in science. Of all the disciplines of academia and sources of information, none compare to the natural science in terms of authority; many of the other disciplines attempt to model natural science's methodology to acquire similar authority, hence social sciences.

In essence, the natural inclinations of humans, or *a priori* structures, must be relegitimized within a relativist frame through a belief presently held. This belief must be couched in a dialectic against relativism such that it constitutes an assumption and relativism constitutes a suspect position. That belief is that experience is the foundation of knowledge, experience is human, and human experience is privileged over culturally conditioned experience. The discipline of science, because it manifests these beliefs is given unequalled authority of judgment (not necessarily only descriptive so long as the judgment remains somewhat shrouded). Artificial intelligence, if infused with scientific authority, could either manifest a consciousness without cultural conditioning, or the general public could be told it had done so. From this set of conditions the crisis of modernity may be solved.

The discipline of Artificial Intelligence is a conjunction of these two beliefs (human, or pre-cultural, experience & the legitimacy of natural science). If the authority of science were exerted to claim that science had actually 'found' pre-cultural experience and could produce judgments from that type of experience, then the standard and prescriptions of Kant or Aquinas could be instituted. Artificial Intelligence is the discipline that could manifest the pre-cultural judgments (or at least the people could be told an artificial intellect was producing a judgment by scientific authority). This daunting feat is arguably accomplishable because of connectionist architecture. Contemporary AI (artificial intelligence) research programs use machines that are often not remotely like the computers seen in offices and households. The latter are von Neumann Machines, rather than connectionist machines. Very roughly, the difference between the two is that von Neumann machines are symbol manipulators and connectionist machines are dynamic systems. This difference is best illustrated by a governor for steam engines developed during the latter half of the eighteenth century.<sup>lxxii</sup> The steam governor was developed because high-quality spinning and weaving required a uniform source of power, and the speed of a flywheel driven by a steam engine is affected by both the pressure of the steam from the boilers and the workload placed on the engine, and these are constantly fluctuating. The speed of the flywheel could be regulated because the pipe carrying steam from the boiler to a piston which turned the flywheel had a valve that allowed alteration of the pressure on the piston, and therefore speed of the flywheel. A uniform speed could be maintained, then, if the valve were turned at the right time by the right amount to cope with changes in workload and pressure. A governor was necessary to determine how

much to turn the valve, and to execute that determination. One governor broke the regulation of when and how much to turn the valve into different subtasks that constitute an algorithm.<sup>lxxiii</sup>

1. Measure the speed of the flywheel.
2. Compare the actual speed of the flywheel against the desired speed.
3. If no discrepancy, return to step 1. Otherwise,
  - a. measure the current steam pressure
  - b. calculate the desired alteration in steam pressure
  - c. calculate the necessary throttle adjustment
1. Make the throttle valve adjustment.
2. Return to step 1.

The engineering problems associated with this sort of governor would correspond to constructing the various components and linking them such that the system functions in a coherent problem. While this device could probably solve the steam pressure problem, it was not the actual solution discovered in the 18<sup>th</sup> century. James Watt adapted existing windmill technology into an elegant device that consisted of a vertical spindle geared into the flywheel itself such that it rotated at a speed directly dependent on that of the flywheel itself. Attached to the spindle by hinges were two arms, and on the end of each arm was a metal ball. As the spindle turned, centrifugal force drove the balls outward and hence upward. By this clever arrangement this arm motion was linked directly to the throttle valve. The result was that as the speed of the flywheel increased, the arms raised closing the valve and restricting the flow of steam; as the speed decreased, the arms lowered opening the valve and allowing more steam to flow. The engine adopted a constant speed, and maintained a remarkably high amount of smoothness when faced with steam and load variations.

The two devices described are deeply different. The first device is a computational device and relies heavily on representations and computations upon those representations.

It measures its environment and makes a symbolic representation of that measurement and performs a series of operations on the representation. The second device does not employ representations. While associating the angle at which the arms are located with a representation of the flywheel's speed is somewhat appealing, the angle does not stand for a certain speed or state of the flywheel. The angle is a correlative of the speed, but not a representation of it. In addition, the arms move immediately when an alteration in speed occurs; no translation from reality to symbolic occurs. Both the arm and the wheel are parts of an interdependent dynamic system since the arm angle and the engine speed are at all times both determined by, and determining, each other's behavior.

Von Neumann machines and connectionist machines are similar to the computational steam governor and the dynamic steam governor, respectively. Von Neumann machines take inputs, translate them into symbols, operate upon the symbols in a fashion dictated by formal rules instituted in the system, and produce outputs. Connectionist systems receive stimuli through a sensory apparatus, the energy or signals from which is disseminated to various nodes (thousands in several different layers) that collect energy and produce a burst after a given level of energy is received. This burst travels to other nodes and is collected and may cause them to 'fire' a burst. The energy forms a unique pattern of reactions among the nodes and after the system returns to a steady state (in other words, the stimulus has caused all the firings of nodes possible for that stimulus and the system has stabilized) a behavior or output occurs. The level of energy that must be received for a particular node to fire and the amount of energy it fires vary from node to node. The idea of a connectionist system is to model human cognitive functions at the neural level. Though cognitive scientists do not know how to explain the

relationship between neural activity and consciousness, consciousness is clearly an emergent property of the patterns of activity in the human brain; from brain activity emerges mental activity.

Connectionist systems and their capabilities are best understood compared to symbol manipulation machines because symbol manipulators were rather successful at doing low-order cognitive functions but couldn't perform higher order pattern-recognition based functions. The problem with symbol manipulation machines was that they could not ascribe meaning to the symbols which they manipulated with formal rules; the Achilles heel of such machines was that they couldn't understand what they computed. To perform this explication of connectionist systems through a comparison with von Neumann machines requires a step back to discuss what is actually being claimed and the problem with von Neumann machines not being able to 'understand' things.

Computer simulations of human cognitive abilities are categorized in "Minds, Brains, and Programs."<sup>xxiv</sup> The two categories depend upon the view held by an individual. If an individual considered a computer program simply a tool for studying the mind, he or she falls in the 'weak' AI (artificial intelligence) category; if one claimed an appropriately programmed computer could really be a mind, one holds a 'strong' view of AI. These categories originally applied to claims concerning the symbol processing machines, and John Searle made an argument in that piece ("Minds, Brains, and Programs") against the 'strong' approach to AI.

A few years after Searle published his work, insurmountable semantic problems with the symbol manipulation approach and some key advances in connectionist systems motivated an ascent of connectionism. Many advocates of connectionist systems claim

those simulations are sufficiently different from symbol manipulation machines for a connectionist system to be a mind: they subscribed to 'strong' AI.

Searle did not accept a 'strong' AI position based on connectionism either. Searle is wrong on that position, but to make clear why an analysis of Searle's original argument against symbol manipulation machines is necessary. The argument advanced by Searle against 'strong' AI claims by symbol manipulation machine designers is an analogy titled the 'Chinese Room' argument. In the 'Chinese Room' argument, Searle is locked in a room and given a large batch of Chinese writing. Searle does not understand Chinese. He is then given a second batch of Chinese writing with a set of rules which allow him to correlate the first set of symbols with the second. Searle understands the rules in English concerning the Chinese symbols as would any native speaker of English. Searle is then given a third set of Chinese characters and some more rules in English. These rules instruct Searle on how to correlate elements in the first two batches with the third and how to give back certain Chinese characters (shapes) in response to the shapes given in the third batch. Searle is then given a series of questions in English, which he answers naturally. Later, some Chinese symbols which are interpreted as questions by Chinese speaking people outside the 'Chinese Room' are given to Searle. Searle is a quick learner of rules, so he quickly fashions together some Chinese characters according to the set of rules and gives this series of symbols (externally considered an answer) to the people outside the room. To the outside observer, Searle appears to understand both Chinese and English equally well. The distinction Searle makes is that, in the case of dealing with Chinese, he simply manipulates formal symbols; to Searle, the Chinese characters are just shapes and not *about* anything. That is Searle's key point: the rules do not give meaning

to the characters.<sup>lxxv</sup>

To understand whether the 'Chinese Room' argument applies to connectionist architecture, a brief description of connectionism by William Bechtel, an eminent connectionist, follows:

The basic components of the connectionist architecture are simple *units* which, like neurons, are, at any given time, *activated* to some degree. Typically, this activation consists in an electrical charge. These units, again like neurons, are *connected* (these connections can be of varying strengths) to other units so that, depending on their own activations, they can act to increase (excite) or decrease (inhibit) the activation of other units. Additionally, in some connectionist systems, these connection strengths can be altered as a result of activity in the system so that the effect of one unit on another can change over time. . . .

The basic processing system is an ensemble of such connected units. The activity such an ensemble begins when an initial pattern of activation is supplied to some or all the units. This pattern can be viewed as a problem given to the ensemble. Processing ends when the system settles into a *stable state*.<sup>lxxvi</sup>

The 'Chinese Room' argument is applied to connectionism is a construction of Searle himself and is actually rather poor: the 'Chinese Gym'. The 'Chinese Gym' is a hall in which many monolingual English-speaking individuals interact. Searle claims these people could carry out the same operations as nodes and synapses in the connectionist architecture and that no single individual would understand Chinese, nor does any way exist for the system to learn Chinese words.

Noteworthy cognitive scientists Paul and Patricia Churchland answer Searle's 'Chinese Gym' argument with two counter-arguments. Firstly, the inability of any single node to understand Chinese is irrelevant since no single human synapse could understand same. Secondly, were this 'Gym' constructed on an appropriate cosmic scale, it would function as a brain.<sup>lxxvii</sup>

Remarkably, both sides are right. The 'Chinese Gym' cannot understand Chinese, but not for the reasons Searle gives. The Churchlands are right because the cosmically



scaled 'Chinese Gym' would function like a brain. Unfortunately, a brain alone is not sufficient for attributing meaning or *aboutness* to symbols. The reason is one that Searle seemed to understand when he wrote "Minds, Brains, and Programs," but seems to have forgotten: causal connections. The input into the 'Chinese Gym' could not represent or be about anything if it simply an initial pattern of activation on some nodes, unless that pattern of activity were exactly the same as a stimulus humans receive from a sense and the 'nodes' in the 'Chinese Gym' (*i.e.*, the gymnasts) had the necessary preconceived connection strengths to understand the input. The strengths of the connection strengths must be preconceived (or *a priori*) because the 'Chinese Gym' cannot learn since it has no sensual apparatus and no intrinsic 'goals'. The perceptual apparatus is necessary since the pattern of activity which serves as input could not be associated with anything (and therefore not mean anything) absent sensation. The intrinsic goals are needed for relevancy or focus when perceiving things. Meaning is (at least partially) assigned because, or is reliant upon, the disposition in which a perception places a perceiver. For example: imagine a Martian with a radically different biochemical composition than humans, and a typical human in a room in which a near-empty glass lies near a sink to be washed. This Martian, being from Mars, has a strong need for water, it is relevant for it. Conversely, the human exists in an environment in which water is abundant. If both organisms strolled through the room and took note of what they focused on, the Martian, likely adapted to perceive water effectively, would notice the glass very quickly. The human, as it strolls through the room, may not even notice the dirty glass (and if so, for different reasons). Clearly, this dirty glass is assigned a significance and different meaning

depending upon the 'intrinsic goals' of the organism examining the environment, and these goals are grounded in biology.<sup>lxxviii</sup>

Essentially, the original 'Chinese Room' argument made the claim that the causal connections of symbol manipulating machines were unable to give meaning to the symbols they manipulated. This is so because their link with the outside world did not transfer anything but syntax. The 'Chinese Gym' argument does not address this interaction with the outside world any differently than the 'Chinese Room', so it offers little aid to understanding whether connectionist systems can understand, and therefore surmount the chief roadblock to artificial intelligence.

Some answers to the original 'Chinese Room' (and therefore 'Chinese Gym') argument were made on behalf of connectionist systems. Applied to connectionist systems, the 'Chinese Room' would claim that if Searle's mind were given stimuli directly to the nodes of his neural network in his brain, and that the stimuli was the same that the human perceptual apparatus gave the brain when it saw Chinese characters, and the readout of his brain activity after subject to the stimuli would be considered an answer by people outside of Searle's mind, then Searle would still not understand Chinese. The reason why is that the stimuli given to Searle's mind correspond to Chinese characters only to people outside of Searle's mind observing the readout of his brain activity; Searle is receiving arbitrary electrical activity. The signals are arbitrary to Searle because his brain is unable to recognize the patterns of activity. Connectionists argue that this inability to recognize these patterns is because the connection strengths are not designed to recognize Chinese characters. They are right, but since Connectionist systems are trained, not designed, one must ask whether Searle (as a human) could learn these patterns and

relate them to their meaning. He could not because he has no perceptual experience with which to relate the patterns of activity; but were he to learn Chinese, he would acquire such referential experience and understand the patterns of activity. Therefore, if his neural network were stimulated with a pattern of activity essentially the same as that of seeing a Chinese character, then Searle would understand the stimulus even though it went directly to his neural network, rather than through his sensory apparatus (eyes). In other words, the pattern of activity and external stimuli are 'identical'. Thus, if the connection weights of Searle's brain are identical with a Chinese speaker (because he learned Chinese), then he could understand the pattern of activity.

In essence, the problem with traditional artificial intelligence is that the symbols on which the computations operated were autonomous of the things they represent. The connectionist strategy for overcoming this autonomy is similar to the steam engine governor designed by Watt: "allow internal representations [patterns of activity] to be shaped by the inputs and outputs of the system so that they become part of the system's adaptation to its environment."<sup>lxix</sup> This cannot be done on symbol manipulation machines, but it can on connectionist machines because the operations and the representations are the same in a connectionist system, whereas a symbol manipulator makes a sharp distinction between the operation and the objects (symbols) on which the operations perform. In addition, since the weights of the connection strength are predetermined (much as if the system had certain primordial biological dispositions), its environment would have 'meaning' or significance to it. Certain nodes (called 'hidden units' a recent discovery) allow recalibration of those connection strengths such that the system improves its pattern recognition based on the original 'goals' instituted in the

system through its initial settings of connection strengths.

The one problem with connectionist systems is this: while typical humans seem to know what they are thinking when they have internal representations, simple connectionist systems do not. Theorists suspect this is due to something other than the “intrinsic intentionality of our internal states”.<sup>lxxx</sup> Some speculate the source is natural language because learning a natural language requires categorization of much of the environment and these categories govern actions in the environment. Therefore, one’s ability to recognize one’s thoughts (internal activity) is needed to communicate those thoughts. What is required is a more sophisticated set of connections (the human mind has billions of neurons, not to mention connections between neurons, whereas the most advanced connectionist system has tens of thousands) such that more intricate patterns can be stored and distinguished, allowing communication.<sup>lxxxi</sup> The problem with such a large system is calibrating the initial connection strengths such that it recognizes patterns of activity like humans. This reduces the problem to one of engineering, not theory, though.

### *Conclusion*

To take the philosophical premise of relativism seriously has practical consequences which are not acceptable. Philosophy must protect itself and the rest of society by censoring itself and constructing a belief or standard from which prescriptions can emerge. The task of philosophy, then, is to insure the standard is not destructive of itself. The belief(s) which, if handled appropriately, allows this end to be realized is that scientific knowledge is true knowledge, and ‘human’ experience both exists and is privileged over conditioned or perspectival experience. Sufficiently sophisticated connectionist machines, if weighted to respond to sensation in the same fashion as humans

do, might be able to model judgments on a 'human' level, as opposed to a conditioned or cultural level. This possibility, if realized, could be used to manifest judgments usable as standards for critiquing judgments of the state and of individuals. In reality, even if connectionism fails or is too unsophisticated, a group of scientists could claim it succeeded and produce principle like Kant's<sup>lxxxii</sup> which few people would ever know were fabricated. Fortunately, connectionism will likely work: sensation does seem objective at a human level (at least if one accepts the underlying assumptions of natural science)<sup>lxxxiii</sup> and the initial results are quite positive, and the philosophy behind connectionism matches up well with phenomenological accounts of human beings. While the system would not be human, it might solve the human problem of relativism.

#### IV

##### *Objection 1*

If relativism is true, why prefer so-called human judgments to judgments ordinary people make?

The answer is that no 'true reason' exists to privilege human judgments (such as those rendered by an appropriately designed connectionist machine) over cultural judgments. Human judgments do, however, seem capable of being a standard against which cultural, sovereign, and individual judgments can be compared. So long as the standard or machine produced Kantian principles which legitimized tolerance but wasn't tolerant of intolerance and tyranny (because intolerance would violate Kant's freedom principle), the project would be successful.

### *Objection 2*

The United States seems just fine without standards beyond positivism: it makes judgments and people respect them. While no 'external' standard may exist guiding the Supreme Court, its decisions don't lead to dissolution of society or an impotent state.

Answer: this is true, but the present circumstances are philosophically bankrupt and open for *potential* tyranny. Were the Supreme Court to decide democracy (or voting) is suspended and that they become the rulers according to the Constitution, no recourse is available save rebellion against a government with the strongest military in the world. Even if the military joined the rebellion, and it succeeded, the instituted regime would face the same inability to control the sovereign as the former situation. One could counter that the Constitution prohibits this sort tyrannical decision, but under positivism the Constitution *is* what the Supreme Court says it is, so nothing is impossible. While the likelihood is incredibly remote (at least to our perception) the potential evil is dreadful and arguably unacceptable.

### *Objection 3*

An artificial intelligence which successfully produced 'human' principles of justice would mean an end of philosophy.

Answer: so long as the principles are Kantian, political philosophy would end because the closest thing to a 'good' regime is attained. Other sorts of philosophy, however, would remain.

### *Objection 4*

Principles currently exist which guide states. The United States, for instance, returned Kuwait from the clutches of Saddam Hussein in the name of freedom.

Answer: even if the action was made for humanitarian rather than economic interests, it was still philosophically arbitrary; were George Bush asked to justify his humanitarian conviction, he could not do so in a fashion which transcends relativism.

*Objection 5*

Isn't an appeal to the judgments of 'human' experience arbitrary as well?

Answer: yes, that is why Plato is important. If one places the opinion that 'human' judgments are superior to 'particular' judgments in the dialectic such that the opinion privileging 'human' judgments is accepted uncritically<sup>lxxxiv</sup> the postmodern opinion could be defeated.

*Objection 6*

Doesn't your argument presuppose 'human' experiences in order to prove them. In other words, in order to calibrate the connection strengths of the nodes in a connectionist architecture, must not you measure the outputs of that system with presupposed 'correct' outputs, thereby already presupposing a 'correct' 'human' response?

Answer: true to a degree, however this essay is more concerned with answers than the 'truth' of artificial intelligence. One argument that the 'human' answers may not be presupposed: Human reception of SSR (Surface Spectral Reflectance) wavelengths seems to fall in a fairly static set of numbers which humans can perceive, and one could compare the pattern of connection activity in some human neural systems when subject to a certain wavelength pattern with the pattern of activity in a connectionist system when subject to the same stimulus. In other words, output behavior would not be the determining standard of whether the connection strengths were correct.

*Objection 7*

The meaning of many things is from culture. If the connectionist machine proposed models sub-cultural judgment, then how might problems be explained to this machine? In other words, without culture it cannot understand the problems associated with beings which exist in a culture.

Answer: the very judgment that something is a problem is the result of culture and relative. For example, the ancient Greeks believed reading silently was worthy of punishment. A connectionist machine probably would not recognize reading silently as a problem, or even understand the ancient Greek position. In this case, the connectionist machine's judgment (*viz.*, that reading silently is not unacceptable) would overturn the cultural judgment even though the machine did not understand the cultural judgment.

Regarding the deeper issue of whether the machine could understand anything at all because culture is integral to meaning: probably. The reason a connectionist machine may be able to understand things is because humans are fundamentally oriented. In other words, humans may be biologically determined to prefer certain things. If this is true, these preferences could provide a very low-level foundation for meaning.





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<sup>i</sup> William H. Rehnquist, quoted in Vukan Kuik, "Government of Law and Judicial Review," Vera Lex, (Winter/Spring, 1992) 10.

<sup>ii</sup> Tyranny is not necessarily autocratic; democracies are certainly capable of tyrannical rule if the minority is institutionally oppressed. Tyranny is a term laden with historical significance, but can be defined as rule in the interest of the ruler(s).

<sup>iii</sup> Merlo J. Pusey, Charles Evans Hughes, (New York: Macmillan, 1951) 204.

<sup>iv</sup> Confusingly, modernity is right now, but the identity of this time is 'postmodern'; modern people think postmodernly.

<sup>v</sup> That does not, however, prevent behavioral prescriptions from being made.

<sup>vi</sup> Or, in the legal manifestation of relativism: positivism, the legitimacy of laws is contingent on the position from which they came - the will of the sovereign is sufficient for legitimacy. See John Austin, The Province of Jurisprudence Determined, lectures I, V, VI, ed. M.P. Golding, in The Nature of The Law: Readings in Legal Philosophy, ed. M.P. Golding (New York: Random House, 1966) 85-6.

<sup>vii</sup> This point will be developed carefully in the next section. Sufficient for the present discussion is the example of Anaximander: he believed that all things had a single source (the "Unbounded"). This belief could not have been based on experience and I suspect that Anaximander never bothered to scrutinize this belief - it was ingrained in his belief system. Experience did, however, guide the solution to the problem presented by his belief. His experience-based realization that the elements (*i.e.*, water, air, fire) - his teacher's solution was water - tended to corrupt the integrity of other elements led him to claim that the source of all things must necessarily reside outside experience since all things in experience are 'bounded' by other objects of experience (not necessarily in the contentious sense that elements bound one another).

<sup>viii</sup> Plato (and Socrates) was not a 'weak empiricist', but he was bounded by this 'weak empiricism' on both sides - Aristotle clearly privileges experience as the source of knowledge (yet carries a set of teleological beliefs not warranted by experience). Though the absence of Plato in western philosophy prior to the 19<sup>th</sup> century is somewhat intentional (references to Plato were present in Aristotle's work, so manuscripts could presumably be found if the desire was present), the 'weak empiricist' epistemology flourished in its vacuum. Prominent philosophers who employed 'weak empiricism' include St. Thomas Aquinas, Machiavelli, Spinoza, Hobbes, Descartes, and Berkeley.

<sup>ix</sup> Hegel claims that Hume and Locke include 'categories' or structures to experience that are not present to experience. In other words, the 'strong empiricists' base their explanations of knowledge on certain 'supersensible' structures. G. W. F. Hegel, Logic, trans. William Wallace (Oxford: Clarendon) 1975, 62-63.

<sup>x</sup> Indeed, even if innate ideas (or *a priori* structures of cognition, as Kant will claim, for that matter) existed, how could we know they existed if they (or some necessary consequence of them) were not experienced.

<sup>xi</sup> Thinkers on artificial intelligence label this cause a difference in the 'substrate domain' of humans, a set of cognitive limitations mapped onto human behavior options. For example, when someone is playing basketball, things like the length of one's arm are not considered when one attempts a slam-dunk. The range of motion and other physical capabilities are already 'understood' as humans circumspect the world around them. See Adrian Cussins, "The Connectionist Construction of Concepts", in: Margaret Boden, ed., The Philosophy of Artificial Intelligence (Oxford: Oxford University Press, 1990).

<sup>xii</sup> Were the individual someone entrenched in ornithology and able to perceive the jet as man-made, and consequently knew the object couldn't be a bird as she understood birds, would consider the experience an anomaly - an experience which could produce a 'crisis' for her and possibly a shift in expectations.

<sup>xiii</sup> Thomas S. Kuhn, The Structure of Scientific Revolutions, 2<sup>nd</sup> edition, enlarged (Chicago: The University of Chicago Press, 1970) 113, 115.

<sup>xiv</sup> Kuhn implies the astronomers who considered what they saw in their telescope a star had the information necessary to 'discover' that the object was 'really' a planet because they observed the 'star' over a period of time and didn't notice the motion; the astronomers were not expecting motion so didn't see it even though the object was moving.

<sup>xv</sup> Leo Strauss, Natural Right and History (Chicago: University of Chicago Press, 1965) 26.

<sup>xvi</sup> Martin Heidegger, Being and Time, trans. John Macquarrie & Edward Robison (New York: Harper & Row, 1962).

The interpretation given prior to this endnote requires some justification. What follow are some interpretations of textual citations from Being and Time. The first claim I make about Heidegger is that the notion of a 'there' or position from which Dasein orients itself is central. On page 171 of the translation of Being and Time Heidegger states:

By its very nature, Dasein brings its "there" along with it. If it lacks its "there", it is not factually the entity which is essentially Dasein; indeed, it is not this entity at all.  
*Dasein is its disclosedness.* [emphasis original].

Dasein is its 'there' and is disclosed by its 'there'. Dasein's understanding of itself arises through the manner in which its 'there' is disclosed and that which is disclosed. Being 'there' has two parts: (1) Being-in-the-world as a whole; and (2) Being-there. Being in the world is disclosed by the 'State of Mind' through a mood. In other words, this mood gives a general character to how Dasein looks at the world:

A mood assails us. It comes neither from 'outside' nor from 'inside', but arises out of Being-in-the-world, as a way of such Being. . . . *The mood has already disclosed, in every case, Being-in-the-world as a whole, and makes it possible first of all to direct oneself towards something. . . . Existentially, a state-of-mind implies a disclosive submission to the world, out of which we can encounter something that matters to us. Indeed from the ontological point of view we must as a general principle leave the primary discovery of the world to 'bare mood'.* [emphasis original, pages 176-177 Being and Time].

A mood (part of the state-of-mind) makes it possible to orient oneself. This orientation is a product of the 'Understanding':

In the *act of understanding* [*Verstehen*], . . . the relations indicated above [purposeful relations to the world] must have been previously disclosed; the act of understanding holds them in this disclosedness. . . . The relational character which these relationships of assigning possess, we take as one of *signifying*. . . . The relational totality of this signifying we call "*significance*". This is what makes up the structure of the world—the structure of that wherein Dasein as such already is. [Italics original, underline emphasis mine, page 120].

Heidegger is more explicit that 'Understanding' (as opposed to 'the act of understanding') is the source of

'significance' and is constitutive of Being 'there' in the following passage from page 182:

State-of-mind is *one* of the existential structures in which the Being of the 'there' maintains itself. Equiprimordial with it in constituting this Being is *understanding*. . . . To say that in existing, Dasein is its "there", is equivalent to saying that the world is 'there'; its *Being-there* is Being-in. And the latter is likewise 'there', as that for the sake of which Dasein is. In the "for-the-sake-of-which", existing Being-in-the-world is disclosed as such, and this disclosedness we have called "understanding". In the understanding of the "for-the-sake-of-which", the significance which is grounded therein, is disclosed along with it. The disclosedness of understanding, as the disclosedness of the "for-the-sake-of-which" and of significance equiprimordially, pertains to the entirety of Being-in-the-world. Significance is that on the basis of which the world is disclosed as such.

In essence, since the world is disclosed to Dasein (and, since Dasein is part of the world, Dasein is also disclosed in the same fashion) through the understanding's grounding of significance, and that grounding is not an universal understanding, but an understanding which is always already oriented and views things 'for-the-sake-of-which' (for the sake of Dasein's Being, *see* the bottom of page 116), all things are relative in a very extreme sense, to this orientation, or perspective.

<sup>xvii</sup> I realize I cannot make this claim because I do not have a privileged position which allows me to survey the experiences of all people throughout history. I can suspect its true, though, and the burden probably falls on someone who claims they experienced a sensation indicating sensation is the source of knowledge.

<sup>xviii</sup> Whether of 'internal' or 'external' phenomenon.

<sup>xix</sup> The collapse of corporation and person presents certain problems with respect to the law (the law distinguishes them in some cases), but because law under a relativist perspective could not legitimately distinguish between the two entities (its judgment would be relative), I collapse them to indicate that both could refute a claim of membership by the state.

<sup>xx</sup> Presumably because they share a similar perspective - *e.g.*, cultural relativism.

<sup>xxi</sup> The judgment of which behaviors, beliefs, or practices determined membership could not appeal to some external authority, so could not claim superiority to an individual's judgment.

<sup>xxii</sup> Or corporations, since they are considered 'persons' under law.

<sup>xxiii</sup> Of course the requirement of superior judgment for legitimacy may itself be relative and misguided. The very act of writing about relativism seriously, however, implicitly recognizes that all claims made are provisional and ultimately validated only by the reader's consent. It seems obvious, though, that action against someone who disagrees based on a judgment no better than no one else's is mere arbitrariness.

<sup>xxiv</sup> In the sense given above *viz.*, rule for the rulers, not the ruled.

<sup>xxv</sup> Reginald E. Allen, Greek Philosophy: Thales to Aristotle, (New York: The Free Press, 1991) 1, 28-29.

<sup>xxvi</sup> Aristotle's *Physics* (204b) indicates Anaximander's position was that "[t]hey are in opposition to one another - air is cold, water is moist, and fire hot - therefore, if any one of them were unbounded, the rest would have ceased to be by this time."

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<sup>xxvii</sup> Reginald E. Allen, Greek Philosophy: Thales to Aristotle, (New York: The Free Press, 1991) 2-3, 29-30.

<sup>xxviii</sup> For information on geographic origin of sophists and suggestion of uniform experience of natural phenomenon but not human conduct: *Ibid.*, 16; information regarding Thrasymachus is not available in that text.

<sup>xxix</sup> Indeed, arguing that a certain position agrees with an 'objective' standard of right and wrong while another position does not implies the belief that a certain position is right and others less right. If sophists followed this technique, and the standard was really considered 'objective' (not mercurial), then they could not perform the task of sophists *viz.*, winning *any* argument, not just the argument which agreed with 'objective' principles.

<sup>xxx</sup> Plato's characterization of the Soul, for example, is not the same across dialogues and it is not clear whether the metaphor of two horses jockeyed by reason (Phaedrus) is included in the holistic account of the soul after death in the Republic or the Phaedo.

<sup>xxxi</sup> The version of Plato's republic used in this essay is: Plato, The Republic of Plato, 2<sup>nd</sup> Edition, trans. Allan Bloom (New York: HarperCollins, 1968).

<sup>xxxii</sup> Plato, The Symposium, trans. Walter Hamilton (London: Penguin Books, Clays Ltd., St. Ives plc., 1951), 100.

<sup>xxxiii</sup> Or perhaps writing in his journal...

<sup>xxxiv</sup> This position is contrary to many interpreters of Plato's Republic. Kimon Lycos, (Plato on Justice and Power, (New York: State University of New York Press, 1987)) for example, claims that understanding "Book I" of the Republic turns on knowing that the positions of the interlocutors represent prevalent viewpoints on justice at the time of Socrates. While knowing this is helpful, the information is present in the dialogue - Cephalus, and his heir, clearly a stand in for tradition and Thrasymachus stands in for authority - so an historical study is not integral, only useful and confirming, for comprehension of the text.

<sup>xxxv</sup> Socrates, in the very last paragraph of the Republic says:

And thus, Glaucon a tale was saved and not lost; and it could save us, if we were persuaded by it, and we shall make a good crossing of the river of Lethe and not defile our soul.

The tale can save (a stark resemblance to the Christian parables of salvation to come later - an irrelevant (?) consideration) if two conditions are met: (1) if it persuades (Glaucon may not be the only person other than Socrates who must be persuaded - the Republic is the other tale and its target is not Glaucon, though some of the people who read it will be like Glaucon); in any event, the notion of persuasion or belief is critical and distinct from merely following a rule or the will of authority; and (2) the river Lethe is crossed 'well' - prudence governs the intake of an amnesia-inducing water of the Lethe. In other words, the teachings must be remembered. One must remember the 'truth' of a past life, but not all of it(!) One must drink some of the river Lethe and therefore forget something - willfully not living reality or the truth (inauthentic existence) is very Heideggerian. To admit to a radically perspectival existence without any 'truth' in an objective sense and moving toward death is an uprooting and frightful admission.

<sup>xxxvi</sup> Kevin O'Neill informed me of the Greek meaning of 'Cephalus'.

<sup>xxxvii</sup> The manner in which Cephalus greets Socrates is one that betrays a great deal of desire for interaction. Cephalus may not wholly desire that Socrates ignore him and deal with the younger people

present; of course Cephalus may recognize that Socrates cannot really ignore him because of his position in the household and his position at the outset of conversation: seated in a cushioned stool with a circle of stools around it.

<sup>xxxviii</sup> Cephalus' original argument included a notion of piety, that reckoning one's debts with the gods to incur their favor was also ideal. Socrates leaves this pious aspect out his restatement of Cephalus' claims. Although the reason Socrates did this is unclear, the power of the dialogue to shape the argument is demonstrated - a potentially significant aspect of Cephalus' statement is swept away and the argument leaves it behind.

<sup>xxxix</sup> Art, as used by Plato, is not the same as it is used in contemporary English. Allan Bloom's 22<sup>nd</sup> endnote (found on page 443) to the translation of Book I explains:

The Greek word is *techné*, from which the English words "technical" and "technique" are derived. It does not mean art in the present-day sense, but rather in the older sense implied, for example, by the word artisan. It means a discipline operating on the basis of principles that can be taught. It is, hence, not opposed to science but allied with it, and in Plato the terms "art" and "science" are often indistinguishable; an art is always a model of what is rational and intelligible.

The linkage between science and art is significant since Socrates is rendering justice analogous to some sort of art in his criticism of Polemarchus, suggesting a tie between science and justice. The criticism of Polemarchus' interpretation of justice through analogy with the arts is that while the arts do what is good for an object, justice must do good to humans (and, at this point, bad to enemies). The sort of knowledge required for the arts is different from the knowledge required for Polemarchus' conception of justice.

<sup>xi</sup> This problem extends beyond the particular case of conflicting beliefs in virtue and justice because Socrates' technique and argument do not (at least not yet) identify how to make judgments between different principles.

<sup>xli</sup> Perhaps the rationale behind the philosopher's choice of which opinion to 'hide' in the dialectic and which to criticize is survival. As the next endnote indicates, the relationship between the positivist and the philosopher is not particularly friendly.

<sup>xlii</sup> Furious indeed; Thrasymachus burst into the discussion in such a manner as to incite animal references. Socrates even believed that Thrasymachus would have killed him had Socrates not seen Thrasymachus first. The text reads that Thrasymachus would have rendered Socrates 'speechless', yet a cross-reference to The Symposium suggests that life and speech are integrally related for Socrates. Consider the ascent to contemplation of absolute beauty was both taught through speech (by Diotima) and is realized through speech. In addition, what could philosophy do if the capacity for speech is taken away; so far the philosopher only persuades through the dialectic. Further, Socrates does not philosophize the same way as those who came before him and examined nature, rather he spends his days talking with people at the market and working with their opinions orally. . . isn't the silence of Socrates what Athens desired. Unlike Socrates, the sophist does not live in speech, but makes a living through speech.

Also of note: the relationship between philosophy (Socrates) and authority (Thrasymachus is starkly associated with the city and rulers in two ways which are handled shortly in the text proper, not the notes) is a hostile one, perhaps to the point of mortality. This mortal struggle may ground the judgment for which belief is hidden in the dialectic and which receives scrutiny.

If philosophy functions by persuading people using immanent beliefs as opposed to an external standard, it cannot lodge positive claims of its own, but merely critique existing beliefs. This activity requires a certain level of secrecy - if the philosopher is forced to speak in a wholly positive fashion the technique may not function. Thrasymachus tries this approach but does not follow it through - partially



because Socrates is incredibly resistant and refuses more than once, but largely because Thrasymachus wants to speak and show his skill and 'knowledge'. While this desire is clear in the *Republic's* text, the reason for Thrasymachus' desire to profess his knowledge is not. Allan Bloom's explanation from the "Interpretive Essay" at the end of his translation of the *Republic* indicates Thrasymachus had come to Athens and sought employment. Thrasymachus' job is sophistry - teaching rhetoric and receiving payment for the instruction. Since Thrasymachus needs students, he is compelled to speak.

<sup>xliii</sup> The setting in which Thrasymachus agrees to speak and allow Socrates to question is strikingly similar to the trial scene in *The Apology* in two ways: (1) following Athenian legal custom, Thrasymachus asks Socrates (the accused) to plead a certain punishment to which Socrates replies he has no money; and (2) Socrates' friends agree to pay for Socrates. The significance of this similarity is the linkage between Thrasymachus and authority or the City; Thrasymachus represents it.

Allan Bloom adds the suggestion that Plato is implicitly defending Socrates from the jury by portraying him as ignorant of the judicial process while his opponent is well versed in that art.

<sup>xliv</sup> Consider: Leo Strauss, *On Tyranny*, revised and expanded edition, eds. Victor Gourevitch & Michael S. Roth (New York: The Free Press, Macmillan, Inc., 1991), in which Simonides persuades (?) Hiero to engage in rule which benefits the ruled, though the rule is still toward Hiero's advantage. Socrates seems to have accomplished a similar feat since Thrasymachus adds this aspect of benefiting the ruled (though in a mild form) to his original claim; while Thrasymachus began by claiming that justice is only the advantage of the stronger, he seems to say that justice is the advantage of the stronger, though the advantage of the stronger tends to benefit the ruled.

<sup>xlv</sup> Leo Strauss, in his essay on Plato [in *The History of Political Philosophy*, 2<sup>nd</sup> edition, eds. Leo Strauss & Joseph Cropsey (Chicago: Rand McNally & Company, 1972), 16] explains this turn to city founding to explain why justice is better than injustice as follows:

In order to defend the cause of justice, Socrates turns to founding, together with Glaukon and Adeimantos, a city in speech. The reason why this procedure is necessary can be stated as follows. Justice is believed to be law-abidingness or the firm will to give everyone what belongs to him, *i.e.*, what belongs to him according to law; yet justice is also believed to be good or salutary; but obedience to law is not unqualifiedly salutary because the laws may be bad; justice will be simply salutary only when the laws are good, and this requires that the regime from which the laws flow is good: justice will be fully salutary only in a good city. Socrates' procedure further implies he knew of no actual city which is good; this is the reason why he is compelled to found a good city. He justifies his turning to the city by the consideration that justice can be detected more easily in the city than in the human individual because the former is larger than the latter; he thus implies that there is a parallelism between the city and the human individual, or, more precisely, between the city and the soul of the human individual. [Strauss continues by elaborating the parallelism between the human soul and the city.]

At first glance, the interpretation and explanation from Strauss seems in conflict with the analysis offered in the text prior to this endnote. If taken at face value, Strauss explains the use of the city to address the issue of whether the just is better than the unjust because Socrates must incorporate the belief that justice is salutary into his analysis. While this is true, it isn't at all clear why Socrates couldn't merely insert some good laws (which would therefore be salutary) into an existing city. The only difference between constructing a city and inserting laws is that in the former Socrates *et. al.* would be rulers (the stronger), while in the latter they would be criticizing citizens (an illegitimate act under positivism). On face, the Strauss interpretation is partially correct - Socrates must address the belief that justice is salutary - but is insufficient to explain Socrates' turn to the city rather than make a law.

Strauss may only intend this explanation as a superficial account, however, because of the language which precedes it: "The reason why this procedure [turning to the city] is necessary can be stated

as follows.” Strauss is usually very precise in his language, and does not use the expression “can be stated” in any other section. If the language is taken precisely, the explanation of Socrates’ procedure *could* be stated as Strauss did, but this is not necessarily the correct statement. Strauss’ statement, if read carefully, gives certain clues that he was aware Plato was, in a sense, conceding positivism: (1) the claim that Socrates knew of no good city; and (2) that the salutary element of justice is only realizable through the laws. The first clue indicates Strauss’ awareness of positivism because it implies either Socrates knew the good and no city met that standard, or Socrates didn’t know the good, as Socrates himself professes at the end of “Book I”. If Socrates knew the good, however, he could make just laws without being the stronger (or ruler) since he would have a higher standard (goodness) to which he could appeal; Strauss probably knew this and included the clue in his statement intentionally. The second clue is perhaps even more compelling: Strauss implies that, for Socrates, justice is salutary only if applied through the laws. This is very curious because, if humans have a *natural* dignity, then the salutariness of justice could be realized without convention (the laws). Implicitly, since the salutary effect of justice is only realizable through convention, justice cannot naturally exist. This constitutes a collapse between the distinction between the just and the legal - which is positivism. Indeed, Strauss performs this very collapse (*see* the block quote above starting with the word ‘yet; on line four and ending with the word ‘bad’ on line six.) when he slips the discussion from ‘justice’ to ‘obedience to the laws’. Ironically, this move is very platonic because the explanation is very dialectical (notice all the semicolons - it goes back and forth) and Strauss hides the belief he wants to preserve in that dialectic.

Strauss’ interpretation, whether insufficient, or sufficient but disguised, makes a useful observation: Socrates wishes to keep the belief that good laws are salutary laws. This observation is useful because it offers the foundation for an example of Socrates’ consistency: much like Socrates did with Polemarchus, he hides that belief (*viz.*, that good laws are salutary laws) in the dialectic as a requirement for other considerations of justice when talking with Glaucon.

<sup>xlvi</sup> The two reasons given in the text above, *viz.*, Socrates admits he hasn’t answered Thrasymachus’ articulation of the just, and that he resorts to being ‘the stronger’ in order to defend his position is joined by a third reason from Leo Strauss’ [*op. cit.* in note 36]: Socrates allows Polemarchus to drop part of Cephalus’ notion about justice, *i.e.*, truth telling is just. The notion of the lie being just or noble is thus introduced. Therefore, Socrates and Plato can deceive (pretend absolute standards, objective knowledge, or ‘forms’, exist).

<sup>xlvii</sup> And the theory of forms, etc...

<sup>xlviii</sup> Relativism was not an issue for Aquinas - faith both provided knowledge and guaranteed the reliability of reason and experience of nature: Thomas Aquinas, Summa Theologica, part I, 2<sup>nd</sup> edition, ed. Mortimer J. Adler, trans. Father Laurence Shapcote (Chicago: Encyclopedia Britannica, Inc., 1991) 3-7.

<sup>xlix</sup> The manner in which Aquinas’ Summa Theologica is generally cited is by Part (‘w’) of Book (‘x’), Question (‘y’) and Article (‘z’), such that the citation looks like: Aquinas w-x, y, z. This method was not used for this essay because the method of citation for normal texts is more clear.

<sup>i</sup> St. Thomas Aquinas, *op. cit.*, page 163, footnote omitted.  
The term ‘quiddity’, according to The Random House Unabridged Dictionary, (2<sup>nd</sup> edition (New York: Random House, 1993), definition 1) means “[T]he quality that makes a thing what it is; the essential nature of a thing.”

<sup>ii</sup> St. Thomas Aquinas, *op. cit.*, page 427, footnote omitted.

<sup>iii</sup> St. Thomas Aquinas, Summa Theologica, part II, 2<sup>nd</sup> edition, ed. Mortimer J. Adler, trans. Father Laurence Shapcote (Chicago: Encyclopedia Britannica, Inc., 1991) 222.



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<sup>liii</sup> This clear phrasing of John Austin's major point [excepts from The Province of Jurisprudence Determined in The Nature of Law, ed. M.P. Golding (New York: Random House, 1966)] is borrowed from Thomas E. Davitt in Origins of the Natural Law Tradition, ed. Arthur L. Harding (New York: Kennikat Press, 1971) 28.

<sup>liv</sup> St. Thomas Aquinas, Summa Theologica, part II, 2<sup>nd</sup> edition, ed. Mortimer J. Adler, trans. Father Laurence Shapcote (Chicago: Encyclopedia Britannica, Inc., 1991) 687.

<sup>lv</sup> Thomas Aquinas, *op. cit.*, page 214.

<sup>lvi</sup> Thomas Aquinas, *op. cit.*, page 217. Interestingly, Aquinas waxes platonic in his examples and position when the issue of positive law is addressed. Consider the reference to arts, the salutary requirement of justice, and that each regime is good in a particular sense.

<sup>lvii</sup> In the case of the ruler who legislates for his own benefit, the reason is not 'right' - he knows what his natural inclinations are, but does not attempt to satisfy them in the ruled.

<sup>lviii</sup> I have omitted an explicit reference to Aquinas' claim that the natural law is eternal; since nature is determinate for humans, so long as humans are humans their nature will be the same. Since natural law is the product of human inclinations rooted in human nature, the law is necessarily static. Human positive law's attempts to realize the natural law are, of course, always changing.

<sup>lix</sup> Therefore it can legitimately claim, even under a positivistic understanding of the law, that its decrees are of greater legitimacy.

<sup>lx</sup> In other words, the natural law dictates the area of need or desire which a human positive law should address.

<sup>lxi</sup> The belief in God, perhaps because of the nature of God, is probably not subject to proof. Faith is, by definition, not exactly the product of experience, and to believe in a proven God is not an act of faith, it is an acceptance of reality.

<sup>lxii</sup> The first edition of Immanuel Kant, Kant: Political Writings, Hans Reiss, ed., H.B. Nisbet, trans., (Cambridge: Cambridge University Press) was published in 1970. Briefly thereafter a couple texts which relied heavily on Kant arose. John Rawls' A Theory of Justice (Cambridge: Harvard University Press, Belknap Press, 1971) explicitly states an indebtedness to Kant, *see* page viii.

<sup>lxiii</sup> Hume's claim, briefly, is that experience demonstrates that things humans consider cause and effect (his terms is 'necessary connection') are only 'constantly contiguous'. In other words, humans experience one event followed by a second event which is contiguous. Humans do not experience a sensation of causation however, nor do they have experience of the future such that they can be certain that a particular set of contiguous events will be duplicated in the future. This means that certain events witnessed in a scientific experiment are believable for that experiment only and cannot be expected to work again because experience offers no justification for that belief.

<sup>lxiv</sup> Immanuel Kant, Critique of Pure Reason, unabridged edition, Norman Kemp Smith, trans. (New York: St. Martin's Press, 1965), 22-23.

<sup>lxv</sup> Kant's *a priori* rules are still positivistic since they implicitly hold a position of authority greater than the laws of a state.

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<sup>lxvi</sup> Immanuel Kant, On the Common Saying: 'This May be True in Theory, but it does not Apply in Practice', in Kant: Political Writings, 2<sup>nd</sup>, enlarged edition, ed. Hans Reiss, trans. H. B. Nisbet (Cambridge: Cambridge University Press, 1991) 73-4.

<sup>lxvii</sup> *Ibid.*, 74.

<sup>lxviii</sup> *Ibid.*, 74.

<sup>lxix</sup> Kant's categorical imperative is a set of principles which command a duty or behavior. For example, one of the imperatives is that one has a duty to not perform deeds which, if universalized, would render one unable to perform the deed again. Less abstractly, things like cutting in line are not good because, were everyone to cut in line, the line would never get anywhere.

<sup>lxx</sup> I am indebted to Dr. Kevin O'Neill for relating the rejection of the Garden of Eden to the rejection of religion generally. The arguments claiming the prohibition against eating the fruit from the tree of knowledge constitutes law, etc. are original.

<sup>lxxi</sup> The Holy Bible, New International Version, University edition (Colorado Spring, CO: International Bible Society) "Genesis 3:1-12.

<sup>lxxii</sup> This example based on the steam governor is borrowed from Tim van Gelder, "What Might Cognition Be If Not Computation", Journal of Philosophy, (July 1995): 347-358.

<sup>lxxiii</sup> An algorithm is a set of procedures which, if successful would perform a function or, if unsuccessful, indicate the function is impossible.

<sup>lxxiv</sup> John R. Searle, "Minds, Brains, and Programs," The Behavioral and Brain Sciences 3 (1980): 416-24, reprinted in The Philosophy of Artificial Intelligence, ed. Margaret Boden (Oxford: Oxford University Press, 1990) 67-87.

This piece is a landmark work in Artificial Intelligence (and the philosophy of mind, generally) and makes a remarkably insightful argument against any conception of the mind as a computational machine; computation in the sense of something which applies formal rules to inputs.

<sup>lxxv</sup> *Ibid.*, 68-72.

<sup>lxxvi</sup> William Bechtel, "Connectionism and the Philosophy of Mind: An Overview," The Southern Journal of Philosophy (supp. 26, 1987): 17.

<sup>lxxvii</sup> Paul and Patricia Churchland, "Could a Machine Think," Scientific American (January, 1990): 36-7.

<sup>lxxviii</sup> Cross-reference this with the account of the 'there' present in the endnote on Heidegger. Heidegger's account of meaning and contemporary cognitive science are startlingly similar.

<sup>lxxix</sup> William Bechtel, "The Case for Connectionism," Philosophical Studies 71 (August 1993): 142.

<sup>lxxx</sup> *Ibid.*, 150.

<sup>lxxxi</sup> Present connectionist machines such as those employed by the military can recognize tanks in tress at different levels of ambient light. They cannot, however, do much more than recognize a few hundred patterns per system, though the recognition level increases significantly for every few nodes added.

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<sup>lxxxii</sup> Though the grounding of the judgments/principles would be from inclinations similar to Aquinas'; natural human tendencies would determine meaning and significance for the system, and therefore its judgments.

<sup>lxxxiii</sup> SSR (Surface Spectral Reflectance) by objects of sensation seem to be the same from human to human, so the sensations seem to be the same, and human responses to the sensation before they enter the nervous system seem to be the same. The sensations (patterns of neural activity) vary from human to human because humans have varying connection strengths between their own neurons/synapses. See James McGilvray, "Constant Colors in the Head", *Synthese* 100 (1994): 197-239.

<sup>lxxxiv</sup> Into what Heidegger might call the 'idle talk'; the substrate beliefs of society which are accepted and propagated without reflection. See *op. cit.* page 221.

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